



September 24, 2018

Austin R. Evers  
American Oversight  
1030 15<sup>th</sup> Street, NW  
Suite B255  
Washington, D.C. 20005

Dear Mr. Evers:

This correspondence is in response to your Freedom of Information Act (FOIA) request dated March 8, 2017 (tracking number 853216) wherein you requested the following:

1. Records containing or reflecting communications between OGE and individuals nominated, or anticipated to be nominated, by President Trump for Senate-confirmed positions in the federal government, including communications with attorneys or agents acting on behalf of such nominees or prospective nominees, as well as members of the Trump administration, the Trump transition team, or the Trump campaign about such nominees or prospective nominees.
2. Records containing or reflecting communications between OGE and individuals appointed, or anticipated to be appointed, by President Trump for positions in the Executive Office of the President in the White House, including communications with attorneys and agents acting on behalf of such appointees or prospective appointees as well as members of the Trump administration, the Trump transition team, or the Trump campaign about such appointees or prospective appointees.

On March 2, 2018, your request was forwarded to the U.S. Department of Labor from the Office of Government Ethics in the form of a FOIA referral and was assigned to the Office of the Solicitor (SOL), Office of Legal Counsel.

SOL has completed a search and review process and has enclosed 117 pages of responsive records pertinent to your request. It is important to note that the redactions contained within the responsive documents were made by the Office of Government Ethics and the documents were previously forwarded to you by that agency under a separate cover. This letter and production constitute a final response on behalf of the Office of the Solicitor.

Under 29 C.F.R. § 70.40(c)(4), charges assessed for all other requesters for the production of records are limited to search costs and reproduction costs with no fee for the first 100 pages. However, for this request, we determined that the cost of collecting and processing a fee would exceed the amount of the fee, therefore there are no charges associated with this request.

All questions regarding this response should be directed to Rob Sadler, Counsel for Ethics, on (202) 693-5528 or [sadler.robert2@dol.gov](mailto:sadler.robert2@dol.gov).

If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact this office or the DOL FOIA Public Liaison, Thomas Hicks, at 202-693-5427 or by email at [hicks.thomas@dol.gov](mailto:hicks.thomas@dol.gov). Alternatively, you may contact the Office of Government Information Services (OGIS) within the National Archives and Records Administration (NARA) to inquire about the mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. You can also reach that office by e-mail at [ogis@nara.gov](mailto:ogis@nara.gov), by phone at 202-741-5770, by fax at 202-741-5769, or by calling toll-free at 1-877-684-6448.

While we do not consider this to be a denial of your request, you may file an appeal of this decision with the Solicitor of Labor within 90 days from the date of this letter. The appeal must state in writing the grounds for the appeal, and it may include any supporting statements or arguments, but such statements are not required. In order to facilitate processing of the appeal, please include your mailing address and daytime telephone number, as well as a copy of the initial request and copy of this letter. The envelope and appeal letter should be clearly marked "Freedom of Information Act Appeal." Any amendment to the appeal must be made in writing and received prior to a decision. The appeal should be addressed to the Solicitor of Labor, Division of Management and Administrative Legal Services, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N2420, Washington, DC 20210. Appeals may also be submitted by email to [foiaappeal@dol.gov](mailto:foiaappeal@dol.gov). Appeals submitted to any other email address will not be accepted.

Sincerely,



Susan Harthill  
Deputy Solicitor for National Operations

Enclosures

**From:** Sandra S. Mabry  
**To:** Teresa L. Williamson  
**Subject:** RE: OGE Reports for Trump Nominees

I spoke to him this afternoon. Sandy

---

**From:** Teresa L. Williamson  
**Sent:** Monday, December 19, 2016 3:14 PM  
**To:** Sandra S. Mabry  
**Subject:** FW: OGE Reports for Trump Nominees

**HEALTH**

Committee

(b) (6)

Chung Shek (chief clerk)

(b) (6)

(b) (6)

Liz Hackett (deputy clerk)

(b) (6)

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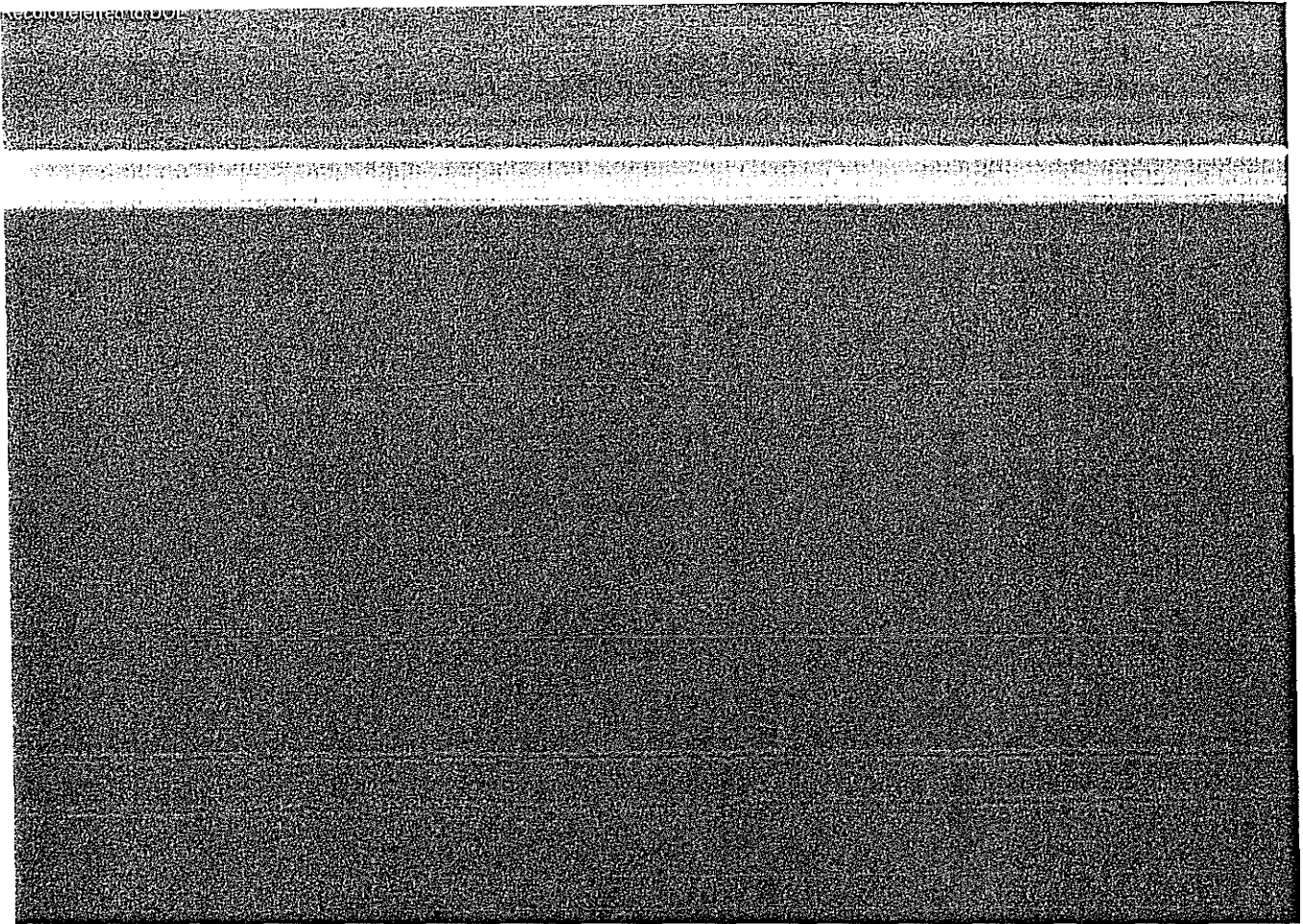
**From:** Shek, Chung (HELP Committee) ((b) (6))  
**Sent:** Monday, December 19, 2016 1:42 PM  
**To:** Teresa L. Williamson  
**Subject:** OGE Reports for Trump Nominees

Hey Teresa,

Wanted to check in to see if there was a status on the OGE reports for any of the upcoming Trump nominees. We're looking for Price, DeVos, and Puzder.

Thanks!  
Chung





**From:** Teresa L. Williamson [mailto:tlwillia@oge.gov]

**Sent:** Tuesday, December 20, 2016 1:55 PM

**To:** Shapiro, Robert - SOL; Sadler, Rob - SOL

**Subject:** Points of Contact for Nominee Packages

**Importance:** High

Good Afternoon,

I hope you are both doing well. We want to make sure we have a point of contact during the holidays on any new nominees that come in. Would you please provide contact information for staff from your office that will be working on the nominee packages over the next few weeks.

Thanks!

Teresa

Teresa Williamson

Presidential Nominations Branch

U.S. Office of Government Ethics

1201 New York Avenue, NW - Suite 500

Washington, DC 20005

202-482-9283



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**From:** LNAPPS1.USOGE@oge.gov  
**To:** Elaine Newton  
**Subject:** IMPORTANT - ACTION NEEDED - New Nominee Assigned - Begin Review & Send 1st Set of Comments - Andrew F Puzder  
**Date:** Monday, January 09, 2017 10:28:13 AM

---

Nominee, Andrew F Puzder, has been assigned to you.

**ACTION:** Within 2 days, please begin your review of the report and send the first set of comments/questions to the agency (by email or phone). If you need additional time, please contact Teresa or Deb.

Please log completion of this step into FDTS by entering a date and then clicking the forward routing button to save and mark this step complete.

Remember to add a new Progress Report for this nominee and update the progress at the end of each week until the report and EA have been precleared.

The link below will take you to the FDTS record.

Nonresponsive network information

**From:** [Teresa L. Williamson](#)  
**To:** [Sandra S. Mabry](#)  
**Subject:** FW: OGE Reports  
**Date:** Thursday, January 12, 2017 11:05:31 AM

---

Hi Sandy, See Chung's email below. I figure we have one voice from OGE to the committee on questions on the status of reports and I'm assuming that's your voice☺ Let me know if I should be calling, I'd be happy to do so.

Thanks  
Teresa

---

**From:** Shek, Chung (HELP Committee) (b) (6) [REDACTED]  
**Sent:** Thursday, January 12, 2017 11:03 AM  
**To:** Teresa L. Williamson  
**Subject:** OGE Reports

Hey Teresa,

Are there any updates as to when we might be getting OGE reports for Price, DeVos, and Puzder?

Thanks!  
Chung



**From:** [Elaine Newton](#)  
**To:** [Seth Jaffe](#)  
**Subject:** Nominee Notes  
**Date:** Thursday, January 12, 2017 2:28:13 PM  
**Attachments:** [Puzder Notes \(1-11-17\).docx](#)

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9 page attachment withheld in full - (b)(3);  
(4); (5); (6)



**From:** Deborah J. Bortot  
**To:** Seth Jaffe  
**Cc:** Elaine Newton  
**Subject:** RE: Puzder  
**Date:** Monday, January 16, 2017 6:23:07 PM

---

Thank you

---

**From:** Seth Jaffe  
**Sent:** Monday, January 16, 2017 6:12 PM  
**To:** Deborah J. Bortot  
**Cc:** Elaine Newton  
**Subject:** Re: Puzder

Deborah,

I don't have an update after the last update Elaine put in AIMS.

We provided an extensive list of questions last week and the agency is actively involved with the report and COI analysis. Exactly where we are will depend on the answers to the questions. (b) (5) [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I hope this helps  
Seth

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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**From:** Deborah J. Bortot  
**Sent:** Monday, January 16, 2017 10:32 AM  
**To:** Elaine Newton; Seth Jaffe  
**Cc:** Heather A. Jones  
**Subject:** Puzder

How is the report coming along?

**From:** Deborah J. Bortot  
**To:** Jack MacDonald; Sandra S. Mabry  
**Subject:** FW: Nominee progress Jan 17  
**Date:** Tuesday, January 17, 2017 10:13:56 AM  
**Attachments:** Financial Disclosure Tracking System (FDTS)-Progress Reports Consolidated (12).xlsb  
**Importance:** High

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Could one of you print this and bring it to Walt?

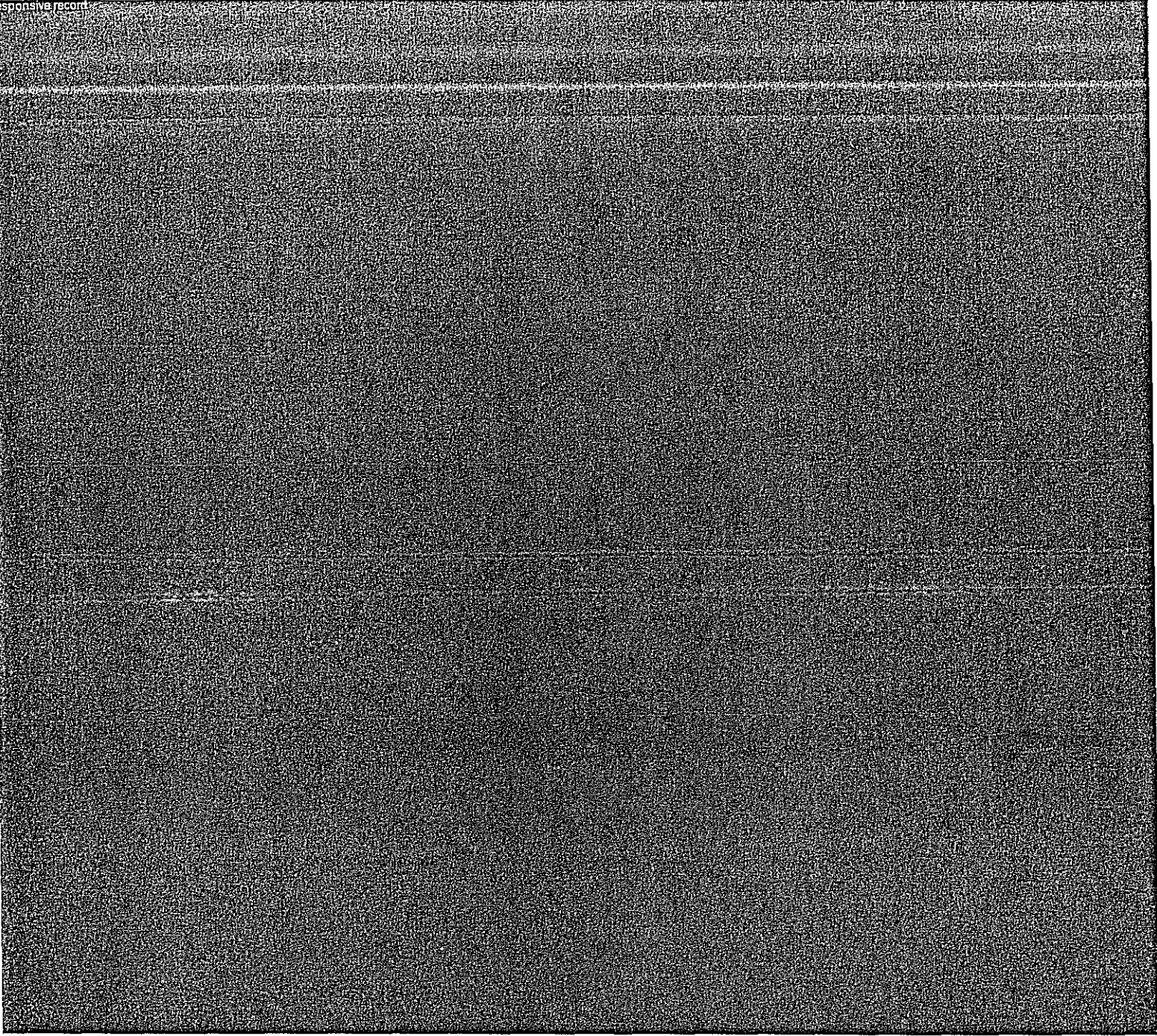
Thanks

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**From:** Teresa L. Williamson  
**Sent:** Tuesday, January 17, 2017 9:49 AM  
**To:** Deborah J. Bortot; Heather A. Jones  
**Subject:** Nominee progress Jan 17  
**Importance:** High

Here's the update for Walt's 10am meeting – if that's still on.







unresponsive record



**From:** Seth Jaffe [mailto:sjaffe@oge.gov]  
**Sent:** Tuesday, January 17, 2017 1:33 PM  
**To:** Sadler, Rob - SOL  
**Cc:** Elaine Newton  
**Subject:** RE: DOL Contact Information

Rob,

Thank you for the update. Elaine will be back into the office tomorrow and we look forward to the responses - as this is a top priority report.

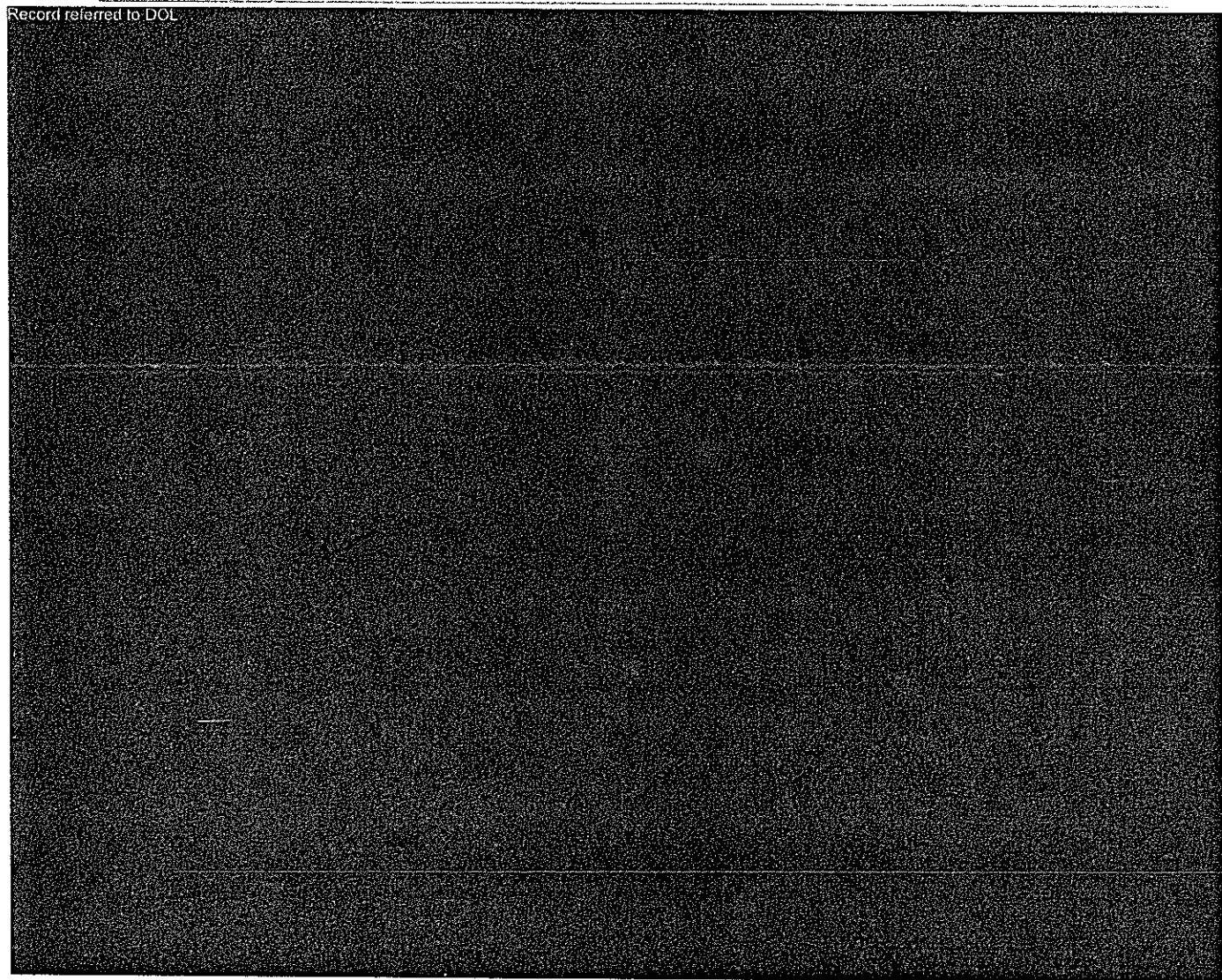
Thanks again,  
Seth



Record referred to DOL



Record referred to DOL



**From:** Elaine Newton [<mailto:enewton@oge.gov>]

**Sent:** Tuesday, January 10, 2017 5:25 PM

**To:** Shapiro, Robert - SOL

**Cc:** Sadler, Rob - SOL

**Subject:** RE: DOL Contact information

3:15 tomorrow works for me. Elaine

Record referred to DOL



**From:** Elaine Newton [<mailto:enewton@oge.gov>]  
**Sent:** Tuesday, January 10, 2017 5:04 PM  
**To:** Shapiro, Robert - SOL; Sadler, Rob - SOL  
**Cc:** Brown, Marilyn - SOL; Elaine Newton  
**Subject:** RE: DOL Contact information

No attachment found in search

Good Afternoon,

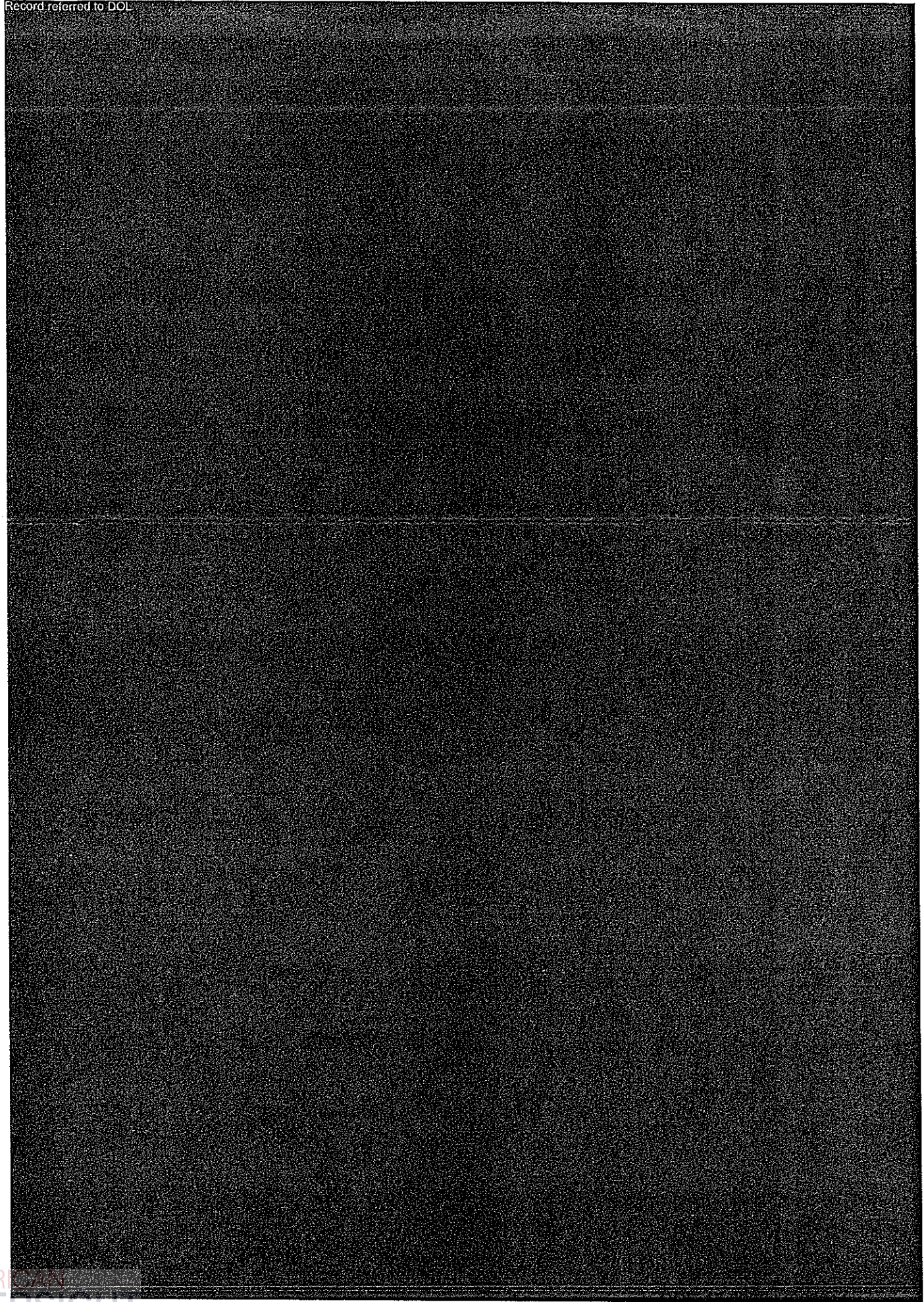
I have added all of my initial comments and questions in the Integrity system. Attached is a Word document with the same comments and questions. If there are any differences, please let me know.

Are you available for a brief call tomorrow to discuss the report? I am available all day, except from 10 to 11:30.

Thanks, Elaine

Elaine Newton  
Attorney-Advisor  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265







**From:** [Deborah J. Bortot](#)  
**To:** [Elaine Newton](#)  
**Cc:** [Seth Jaffe](#)  
**Subject:** (b)(6) Letter  
**Date:** Wednesday, January 18, 2017 2:27:47 PM  
**Attachments:** (b)(6) letter (pdf version).pdf  
(b)(6) letter (word version).docx

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The sample (b)(6) letter is saved at:

N:\Resources\Sample Letters (including (b)(6)

I've attached both the Word and pdf versions.

2 page attachment withheld in full - (b)(5)



**From:** [Elaine Newton](#)  
**To:** [Seth Jaffe](#)  
**Subject:** FW: Draft Ethics Agreement and Contact Information  
**Date:** Wednesday, January 18, 2017 2:54:16 PM  
**Attachments:** [Puzder Ethic Agreement Draft 1.doc](#)

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7 page attachment withheld in full - (b)  
(3), (4), (5), (6)

Record referred to DOL



**From:** Elaine Newton [mailto:enewton@oge.gov]  
**Sent:** Wednesday, January 18, 2017 2:23 PM  
**To:** Sadler, Rob - SOL; Shapiro, Robert - SOL  
**Subject:** (b)(3), (6) Letter

1 page attachment withheld in full  
- (b)(3), (4), (5), (6)

Good Afternoon,

This is just a follow-up to the conversation that I had earlier with Rob. (b)(3), (5), (6)

(b)(3), (5), (6)  
(b)(3), (5), (6)). I am also attaching a sample of the letter.  
Please let me know if you have any questions.

Thanks, Elaine

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**From:** Emory A. Rounds III  
**To:** Heather A. Jones  
**Subject:** Re: Labor  
**Date:** Thursday, January 19, 2017 3:44:27 PM

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Thanks!

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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**From:** Heather A. Jones  
**Sent:** Thursday, January 19, 2017 3:40 PM  
**To:** Emory A. Rounds III  
**Subject:** Re: Labor

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(b)(3), (5), (6)

They are aware of the hearing date. All issues/questions are currently with the filer.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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**From:** Emory A. Rounds III  
**Sent:** Thursday, January 19, 2017 1:17 PM  
**To:** Heather A. Jones; Deborah J. Bortot  
**Subject:** Labor

---

Prospective Labor status? Thanks!

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**From:** Hudson, Kian J. [mailto:KHudson@gibsondunn.com]  
**Sent:** Thursday, January 19, 2017 4:00 PM  
**To:** Sadler, Rob - SOL; Shapiro, Robert - SOL  
**Cc:** Mooney, Alexander W.; Fackler, Stephen W.  
**Subject:** Comments on Puzder SF-278

No attachment found in search

Good afternoon, gentlemen:

I've gone through the comments made on the SF-278 on Integrity. While there are still a few that we haven't responded to, I believe the vast majority have the necessary responses and confirmations. Also, please find attached three letters regarding disclosure of assets from (b)(3), (b)(6)

Please let me know if you would like to discuss.

Thanks,

-Kian

Kian Hudson\*

## GIBSON DUNN

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1050 Connecticut Avenue NW

Washington, DC 20036

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\* Admitted only in Indiana; practicing under the supervision of the Principals of the Firm

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**From:** Deborah J. Bortot  
**To:** Elaine Newton  
**Subject:** FW: it was also in the guide  
**Date:** Thursday, January 19, 2017 5:58:05 PM

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**From:** Lorna A. Syme  
**Sent:** Thursday, January 19, 2017 5:47 PM  
**To:** Deborah J. Bortot  
**Subject:** it was also in the guide

Please consult with your ethics official for guidance specific to your situation.

(b)(3), (5), (6)



Lorna Syme  
Presidential Nominations Branch  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3917  
Telephone: (202) 482-9277  
Facsimile: (202) 482-9237

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Follow OGE on Twitter: @OfficeGovEthics

**From:** Deborah J. Bortol  
**To:** Elaine Newton  
**Subject:** (b)(3), (6)  
**Date:** Thursday, January 19, 2017 6:00:17 PM

---

(b)(3), (5), (6)



**From:** Mooney, Alexander W.  
**To:** Elaine Newton; Hudson, Kian J.  
**Cc:** "Shapiro, Robert - SOL"; Sadler, Rob - SOL; Fackler, Stephen W.  
**Subject:** RE: Puzder 278  
**Date:** Saturday, January 21, 2017 1:28:30 PM

---

Great – we look forward to speaking with you all then. Below is a dial in:

Toll-free dial-in number (U.S. and Canada):

(b) (6)

Conference code:

(b) (6)

Alexander Mooney

## GIBSON DUNN

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1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
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[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

**From:** Elaine Newton [mailto:[enewton@oge.gov](mailto:enewton@oge.gov)]  
**Sent:** Saturday, January 21, 2017 9:38 AM  
**To:** Mooney, Alexander W. <[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com)>; Hudson, Kian J. <[KHudson@gibsondunn.com](mailto:KHudson@gibsondunn.com)>  
**Cc:** 'Shapiro, Robert - SOL' (b) (6); Sadler, Rob - SOL (b) (6); Fackler, Stephen W. <[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)>  
**Subject:** RE: Puzder 278

Good Morning,

I am available for a call on Monday at 10:30 a.m.

Thanks, Elaine

Elaine Newton

Attorney-Advisor

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3915

Telephone: 202-482-9265

**From:** Mooney, Alexander W. [mailto:AMooney@gibsondunn.com]  
**Sent:** Friday, January 20, 2017 4:35 PM  
**To:** Elaine Newton; Hudson, Kian J.  
**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; Fackler, Stephen W.  
**Subject:** RE: Puzder 278

Hi Elaine – I am cc'ing Steve Fackler, who is in the best position to address your (b)(3), (6) questions and determine which (b)(3), (6) may be relevant to your questions. I think it would be most efficient we all have a short call on Monday so we are clear on what you are looking for. Does 10:30 AM work? If so, I can circulate a dial in.

Thanks,

Alex

Alexander Mooney

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.887.3751 • Fax +1 202.530.9584  
AMooney@gibsondunn.com • www.gibsondunn.com

**From:** Elaine Newton [mailto:enewton@oge.gov]  
**Sent:** Friday, January 20, 2017 2:53 PM  
**To:** Hudson, Kian J. <KHudson@gibsondunn.com>; Mooney, Alexander W. <AMooney@gibsondunn.com>  
**Cc:** 'Shapiro, Robert - SOL' (b)(3), (6); Sadler, Rob - SOL <(b)(3), (6)>  
**Subject:** RE: Puzder 278

Good Afternoon:

I have completed entering most of my questions and comments in Integrity. There are a few outstanding questions regarding the filer's (b)(3), (6) and a couple of issues that I need to research on Monday.

(1) I deleted my earlier comments that have been addressed.

(2) Please answer the questions in the General Comments section. Most of these questions are to confirm that we are not inadvertently missing any information.

(b)(3), (5), (6)

Please let me know if you have any questions.

Thanks again,

Elaine

Elaine Newton

Attorney-Advisor

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3915

Telephone: 202-482-9265

**From:** Elaine Newton  
**Sent:** Friday, January 20, 2017 10:33 AM  
**To:** 'KHudson@gibsondunn.com'  
**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; 'amooney@gibsondunn.com'  
**Subject:** Puzder 278

Good Morning,

Thank you for adding comments in Integrity and providing the (b)(3), (5), (6). I hope to respond to your Integrity comments later today. I will send an e-mail to everyone when I have entered my questions and comments in Integrity. I will also be available to review the (b)(3), (5), (6) when you have it.

(b)(3), (5), (6)  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Please let me know if you have any questions.

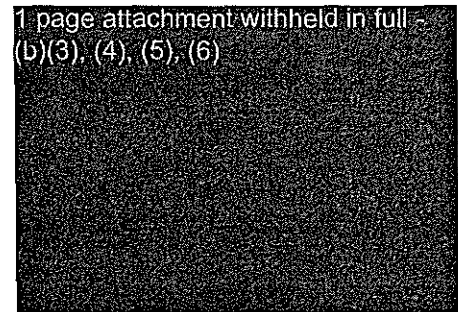
Thank you,

Elaine

Elaine Newton

Associate Counsel

1 page attachment withheld in full -  
(b)(3), (4), (5), (6)



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**From:** [Integrity.gov](https://integrity.gov)  
**To:** [Elaine Newton](#)  
**Subject:** Integrity.gov: Report Pending Action  
**Date:** Monday, January 23, 2017 10:17:04 AM

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A 2017 Nominee report for Puzder, Andrew F is pending your action as OGE Nominee Reviewer. The report has been pending for 14 days. You may access the report by logging into integrity at <https://integrity.gov>.

**From:** Teresa L. Williamson  
**To:** Lorna A. Syme; Rachel K. Dowell; Sandra S. Mabry; Keith Labedz; Leigh J. Francis; Jim Robertson; Jack MacDonald; Stephanie Nonluecha; Megan V. Khaner; Patrick J. Lightfoot; Kimberly L. Sikora Panza; Elaine Newton; Monica M. G. Ashar  
**Cc:** LEGTEAM; Emory A. Rounds III; Brandon L. Bunderson; Vincent Salamone; Steven Corbally; Grace A. Clark; Cheryl L. Kane-Piasecki; Deborah J. Bortot; Dale A. Christopher; Nicole Stein; Daniel L. Skalla; Elizabeth D. Horton; Wendy G. Pond; Heather A. Jones; Diana Veilleux; Seth Jaffe; David A. Meyers; Clara M. Guzman; Patrick Shepherd; Rodrick T. Johnson; Kimberley H. Kaplan; Christopher J. Swartz; Jaideep Mathai  
**Subject:** NEW NOMINATION - January 20, 2017  
**Date:** Monday, January 23, 2017 10:58:19 AM  
**Importance:** High

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The following nominations have been posted on THOMAS. You will be contacted separately regarding any actions required regarding these nominations.

Thanks! Teresa

**NOMINATION - OGE Reviewer: Kim Sikora Panza (INTEGRITY)** (b)(5)

**PN49** — 115th Congress (2017-2018) — **Seema Verma** — Department of Health and Human Services  
Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, vice Marilyn B. Tavenner.

Date Received from President: 01/20/2017

Committee: Finance

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Finance. (All Actions)

**NOMINATION - OGE Reviewer: Kim Sikora Panza (INTEGRITY)** (b)(5)

**PN53** — 115th Congress (2017-2018) — **David Friedman** — Department of State

David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION - OGE Reviewer: Leigh (INTEGRITY)** (b)(5)

**PN45** — 115th Congress (2017-2018) — **Todd M. Ricketts** — Department of Commerce

Todd M. Ricketts, of Illinois, to be Deputy Secretary of Commerce.

Date Received from President: 01/20/2017

Committee: Commerce, Science, and Transportation

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Commerce, Science, and Transportation. (All Actions)

**NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)** (b)(5)

**PN42** — 115th Congress (2017-2018) — **Robert Lighthizer** — Executive Office of the President

Robert Lighthizer, of Florida, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

Date Received from President: 01/20/2017

Committee: Finance

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Finance. (All Actions)

**NOMINATION - OGE Reviewer: Lorna (INTEGRITY)** (b)(5)

**PN39** — 115th Congress (2017-2018) — **David J. Shulkin** — Department of Veterans Affairs

David J. Shulkin, of Pennsylvania, to be Secretary of Veterans Affairs.

Date Received from President: 01/20/2017

Committee: Veterans' Affairs

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Veterans' Affairs. (All Actions)

**NOMINATION - OGE Reviewer: Elaine (INTEGRITY)** (b)(5)



**PN38 — 115th Congress (2017-2018) — Andrew F. Puzder — Department of Labor**

Andrew F. Puzder, of Tennessee, to be Secretary of Labor.

Date Received from President: 01/20/2017

Committee: Health, Education, Labor, and Pensions

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions. (All Actions)

**NOMINATION -** (b)(5)

**PN52 — 115th Congress (2017-2018) — Terry Branstad — Department of State**

Terry Branstad, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION -** (b)(5)

**PN47 — 115th Congress (2017-2018) — Jay Clayton — Securities and Exchange Commission**

Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021, vice Daniel M. Gallagher, Jr. (term expired).

Date Received from President: 01/20/2017

Committee: Banking, Housing, and Urban Affairs

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Banking, Housing, and Urban Affairs. (All Actions)

**NOMINATION -** (b)(5)

**PN46 — 115th Congress (2017-2018) — Vincent Viola — Department of Defense**

Vincent Viola, of New York, to be Secretary of the Army, vice Eric Kenneth Fanning.

Date Received from President: 01/20/2017

Committee: Armed Services

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Armed Services. (All Actions)

**NOMINATION -** (b)(5)

**PN41 — 115th Congress (2017-2018) — Daniel Coats — Office of the Director of National Intelligence**

Daniel Coats, of Indiana, to be Director of National Intelligence, vice James R. Clapper, Jr.

Date Received from President: 01/20/2017

Committee: Intelligence

Latest Action: 01/20/2017 - Received in the Senate and referred to the Select Committee on Intelligence. (All Actions)

**NOMINATION - OGE Reviewer: Lorna (INTEGRITY)** (b)(5)

**PN28 — 115th Congress (2017-2018) — Steven T. Mnuchin — International Monetary Fund**

Steven T. Mnuchin, of California, to be United States Governor of the International Monetary Fund, United States Governor of the African Development Bank, United States Governor of the Inter-American Development Bank, and United States Governor of the International Bank for Reconstruction and Development for a term of five years, vice Jacob Joseph Lew, resigned.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION - OGE Reviewer: Lorna (INTEGRITY)** (b)(5)

**PN27 — 115th Congress (2017-2018) — Steven T. Mnuchin — European Bank for Reconstruction and Development**

Steven T. Mnuchin, of California, to be United States Governor of the European Bank for Reconstruction and Development, United States Governor of the African Development Fund, and United States Governor of the Asian Development Bank, vice Jacob Joseph Lew, resigned.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION - OGE Reviewer: Lorna (INTEGRITY)** (b)(5)

**PN26** — 115th Congress (2017-2018) — **Steven T. Mnuchin** — **Department of the Treasury**

Steven T. Mnuchin, of California, to be Secretary of the Treasury.

Date Received from President: 01/20/2017

Committee: Finance

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Finance. (All Actions)

**NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)** (b)(5)

**PN51** — 115th Congress (2017-2018) — **Nikki R. Haley** — **United Nations**

Nikki R. Haley, of South Carolina, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)** (b)(5)

**PN50** — 115th Congress (2017-2018) — **Nikki R. Haley** — **Department of State**

Nikki R. Haley, of South Carolina, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**NOMINATION - OGE Reviewer: Rachel (INTEGRITY)** (b)(5)

**PN48** — 115th Congress (2017-2018) — **Linda E. McMahon** — **Small Business Administration**

Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration, vice Maria Contreras-Sweet, resigned.

Date Received from President: 01/20/2017

Committee: Small Business and Entrepreneurship

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Small Business and Entrepreneurship. (All Actions)

**NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)** (b)(5)

**PN44** — 115th Congress (2017-2018) — **Scott Pruitt** — **Environmental Protection Agency**

Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

Date Received from President: 01/20/2017

Committee: Environment and Public Works

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Environment and Public Works. (All Actions)

**NOMINATION - OGE Reviewer: Lorna (INTEGRITY)** (b)(5)

**PN43** — 115th Congress (2017-2018) — **Mike Pompeo** — **Central Intelligence Agency**

Mike Pompeo, of Kansas, to be Director of the Central Intelligence Agency, vice John Owen Brennan.

Date Received from President: 01/20/2017

Committee: Intelligence

Latest Action: 01/20/2017 - Considered by Senate. (All Actions)

**NOMINATION - OGE Reviewer: Stephanie (INTEGRITY)** (b)(5)



**PN40** — 115th Congress (2017-2018) — **John F. Kelly** — **Department of Homeland Security**

John F. Kelly, of Virginia, to be Secretary of Homeland Security.

Date Received from President: 01/20/2017

Latest Action: 01/20/2017 - Confirmed by the Senate by Yea-Nay Vote. 88 - 11. Record Vote Number: 30. ([All Actions](#))

**NOMINATION - OGE Reviewer: Megan (*INTEGRITY*)** (b)(5)

**PN37** — 115th Congress (2017-2018) — **Elisabeth Prince DeVos** — **Department of Education**

Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Date Received from President: 01/20/2017

Committee: Health, Education, Labor, and Pensions

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Health, Education, Labor, and Pensions. ([All Actions](#))

**NOMINATION - OGE Reviewer: Jim (*INTEGRITY*)** (b)(5)

**PN36** — 115th Congress (2017-2018) — **James Richard Perry** — **Department of Energy**

James Richard Perry, of Texas, to be Secretary of Energy.

Date Received from President: 01/20/2017

Committee: Energy and Natural Resources

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Energy and Natural Resources. ([All Actions](#))

**NOMINATION - OGE Reviewer: Sandy (*INTEGRITY*)** (b)(5)

**PN35** — 115th Congress (2017-2018) — **Elaine L. Chao** — **Department of Transportation**

Elaine L. Chao, of Kentucky, to be Secretary of Transportation.

Date Received from President: 01/20/2017

Committee: Commerce, Science, and Transportation

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))

**NOMINATION - OGE Reviewer: Monica (*INTEGRITY*)** (b)(5)

**PN34** — 115th Congress (2017-2018) — **Benjamin S. Carson Sr.** — **Department of Housing and Urban Development**

Benjamin S. Carson, Sr., of Florida, to be Secretary of Housing and Urban Development.

Date Received from President: 01/20/2017

Committee: Banking, Housing, and Urban Affairs

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Banking, Housing, and Urban Affairs. ([All Actions](#))

**NOMINATION - OGE Reviewer: Patrick (*INTEGRITY*)** (b)(5)

**PN33** — 115th Congress (2017-2018) — **Thomas Price** — **Department of Health and Human Services**

Thomas Price, of Georgia, to be Secretary of Health and Human Services.

Date Received from President: 01/20/2017

Committee: Finance

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Finance. ([All Actions](#))

**NOMINATION - OGE Reviewer: Keith (*INTEGRITY*)** (b)(5)

**PN32** — 115th Congress (2017-2018) — **Wilbur L. Ross Jr.** — **Department of Commerce**

Wilbur L. Ross, Jr., of Florida, to be Secretary of Commerce.

Date Received from President: 01/20/2017

Committee: Commerce, Science, and Transportation

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))

**NOMINATION - OGE Reviewer: Lorna (*INTEGRITY*)** (b)(5)

**PN31** — 115th Congress (2017-2018) — **Ryan Zinke** — **Department of the Interior**

Ryan Zinke, of Montana, to be Secretary of the Interior.

Date Received from President: 01/20/2017

Committee: Energy and Natural Resources

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Energy and Natural Resources. ([All Actions](#))

INTRODUCTION OF NOMINATION

**NOMINATION - OGE Reviewer: Jack (*INTEGRITY*)** (b)(5)

**PN30** — 115th Congress (2017-2018) — **Jeff Sessions** — Department of Justice

Jeff Sessions, of Alabama, to be Attorney General.

Date Received from President: 01/20/2017

Committee: Judiciary

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on the Judiciary. (All Actions)

**NOMINATION - OGE Reviewer: Monica (*INTEGRITY*)** (b)(5)

**PN29** — 115th Congress (2017-2018) — **James Mattis** — Department of Defense

James Mattis, of Washington, to be Secretary of Defense.

Date Received from President: 01/20/2017

Latest Action: 01/20/2017 - Confirmed by the Senate by Yea-Nay Vote. 98 - 1. Record Vote Number: 29. (All Actions)

**NOMINATION - OGE Reviewer: Leigh (*INTEGRITY*)** (b)(5)

**PN25** — 115th Congress (2017-2018) — **Rex W. Tillerson** — Department of State

Rex W. Tillerson, of Texas, to be Secretary of State.

Date Received from President: 01/20/2017

Committee: Foreign Relations

Latest Action: 01/20/2017 - Received in the Senate and referred to the Committee on Foreign Relations. (All Actions)

**From:** Mooney, Alexander W. [mailto:AMooney@gibsondunn.com]  
**Sent:** Tuesday, January 24, 2017 8:20 PM  
**To:** Elaine Newton; Shapiro, Robert - SOL; Sadler, Rob - SOL  
**Cc:** Hudson, Kian J.  
**Subject:** Puzder 278 information re (b)(3),(6)

Dear Bob, Rob, and Elaine—

(b)(3), (4), (6)

Thanks,  
Alex

Alexander Mooney

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.887.3751 • Fax +1 202.530.9584  
[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

41 page attachment withheld in full -  
(b)(3), (4), (5), (6)

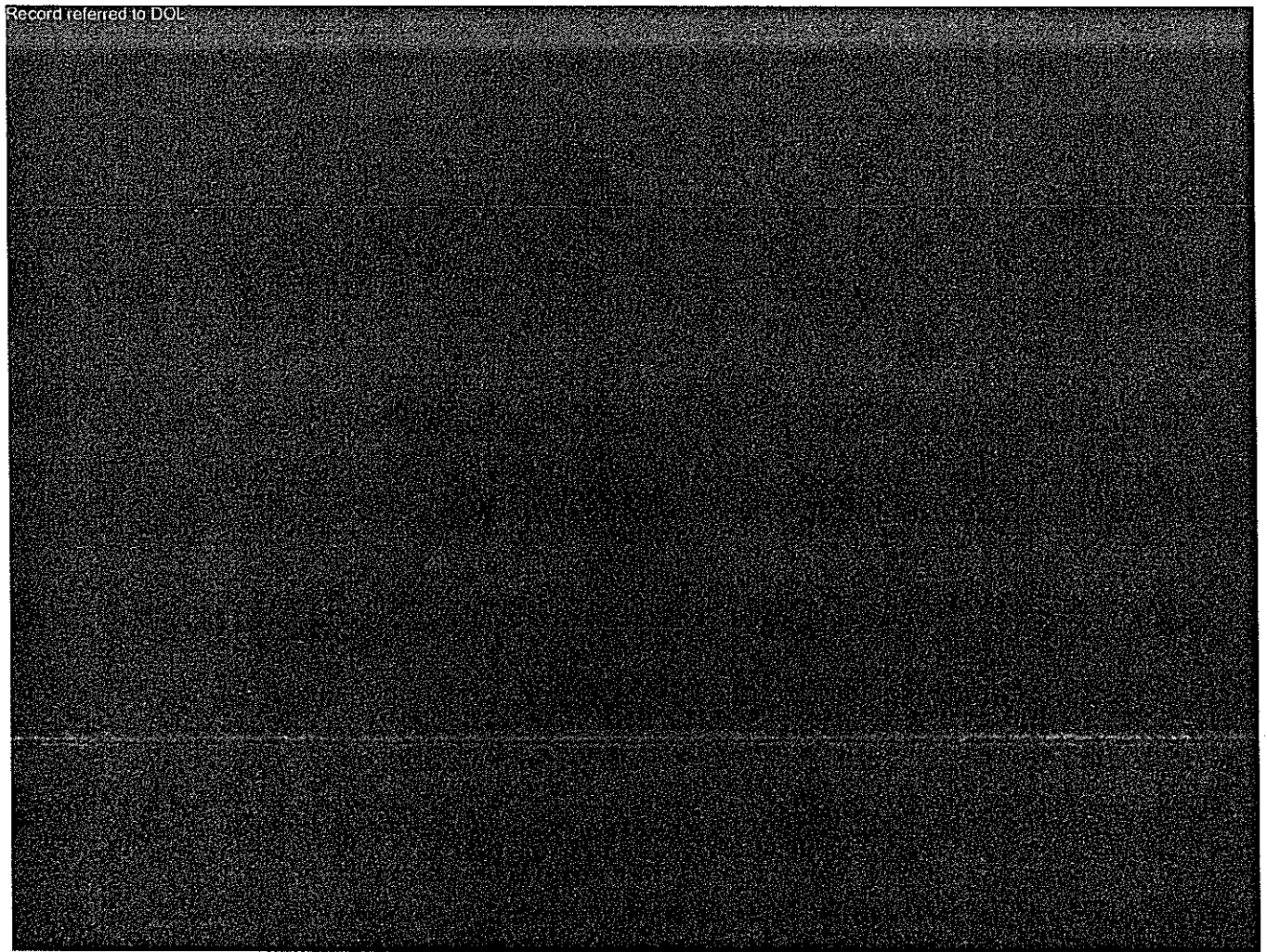


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Record referred to DOL



**From:** Elaine Newton  
**To:** "Mooney, Alexander W."; Seth Jaffe  
**Cc:** Sadler, Rob - SOL; Shapiro, Robert - SOL; Hudson, Kian J.; Fackler, Stephen W.  
**Bcc:** Elaine Newton  
**Subject:** RE: In preparation for preclearance  
**Date:** Wednesday, February 01, 2017 4:30:32 PM

---

Mr. Puzder's (b)(3), (5), (6)



(b)(3), (5), (6)



Thanks, Elaine

---

**From:** Mooney, Alexander W. [mailto:AMooney@gibsondunn.com]  
**Sent:** Wednesday, February 01, 2017 4:01 PM  
**To:** Seth Jaffe; Elaine Newton  
**Cc:** Sadler, Rob - SOL; Shapiro, Robert - SOL; Hudson, Kian J.; Fackler, Stephen W.  
**Subject:** RE: In preparation for preclearance

Hello all Seth and Elaine,

With respect to the below statement:

(b)(3), (4), (5), (6)



Please advise if this requires further reporting.

Thanks,  
Alex  
Alexander Mooney

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.887.3751 • Fax +1 202.530.9584  
AMooney@gibsondunn.com • www.gibsondunn.com

**From:** Seth Jaffe [mailto:sjaffe@oge.gov]  
**Sent:** Tuesday, January 31, 2017 5:25 PM  
**To:** Mooney, Alexander W. <AMooney@gibsondunn.com>; Fackler, Stephen W. <SFackler@gibsondunn.com>; Hudson, Kian J. <KHudson@gibsondunn.com>;



(b)(6) - Rob Shapiro and Rob Sadler emails

[REDACTED]; Elaine Newton <enewton@oge.gov>; Deborah J. Bortot <djborot@oge.gov>; Heather A. Jones <hajones@oge.gov>  
Cc: Director of OGE <director@oge.gov>  
Subject: In preparation for preclearance

Dear folks,

Although we have not yet quite finalized all outstanding issues, to help facilitate OGE preclearance, **please be sure to instruct the nominee to personally review the report carefully once more time prior to preclearance and after all issues appear to be settled**, given that the nominee will be personally responsible for all entries in the report as they currently appear.

I'm sending you a list of some of the nominee's material representations on which we are relying. Please forward this message to the nominee and instruct him to notify us prior to preclearance, and after resolving any outstanding issues, if any item in this list is incorrect.

Among other material representations, we are relying on the following:

(b)(3), (5), (6)  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(3), (5), (6)

Thank you,  
Seth

Seth H. Jaffe  
Chief, Ethics Law & Policy Branch  
U.S. Office of Government Ethics  
(202) 482-9303

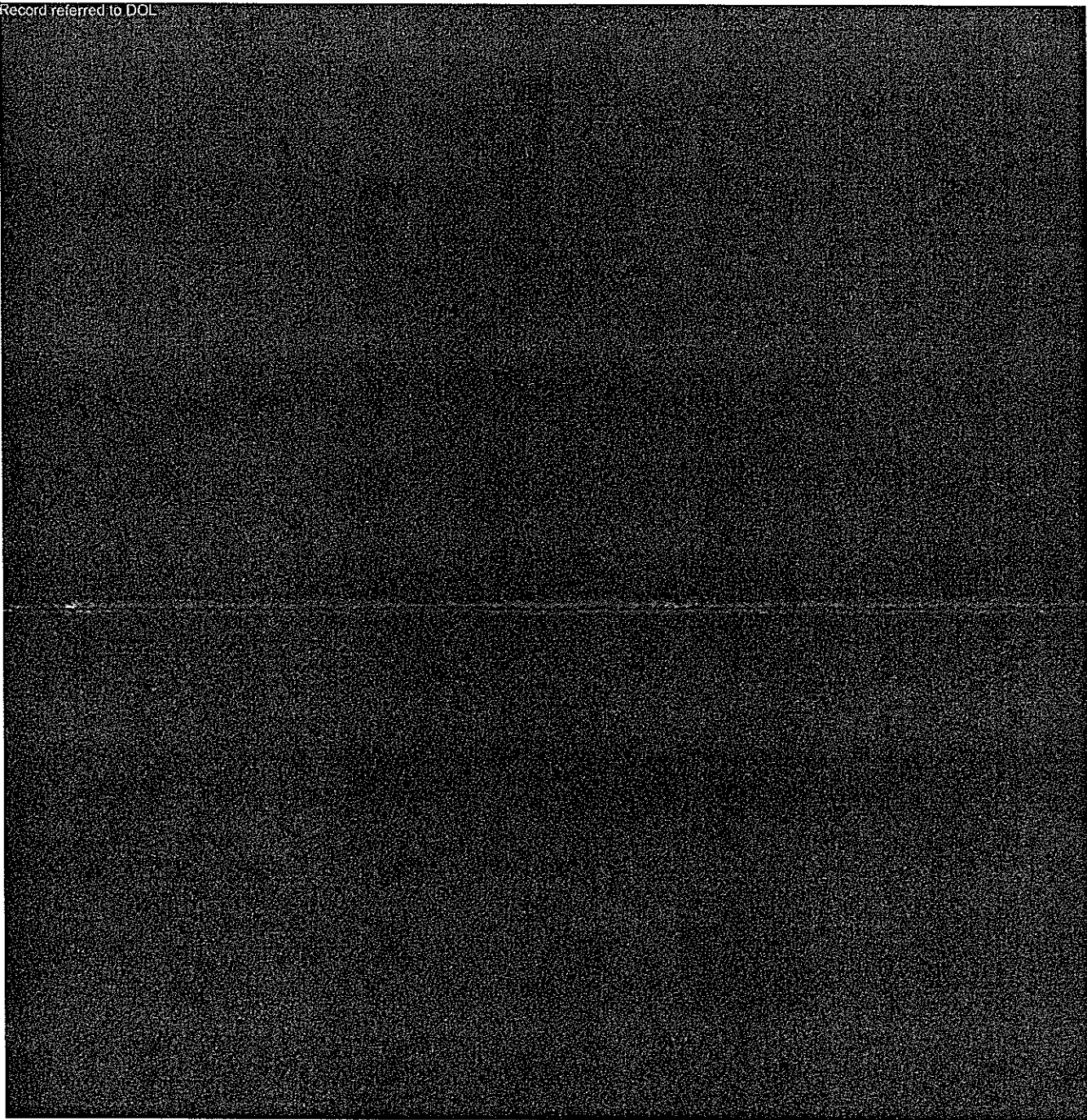
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Record referred to DOL





**From:** Hudson, Kian J.  
**To:** Elaine Newton; Seth Jaffe; Mooney, Alexander W.; Fackler, Stephen W.; (b)(6) - Rob Shapiro and Rob Sauter emails  
**Cc:** Director of OGE  
**Subject:** RE: In preparation for preclearance  
**Date:** Thursday, February 02, 2017 11:06:19 AM

---

Good morning all,

(1) The month Mr. Puzder's position with the (b)(3), (6) began is now indicated on the Form 278e.

(b)(3), (4), (5), (6)

(b)(3), (5), (6)

Please let us know if any other changes need to be made to the Form 278e.

Many thanks,

-Kian

**From:** Elaine Newton [mailto:enewton@oge.gov]  
**Sent:** Wednesday, February 1, 2017 3:31 PM  
**To:** Hudson, Kian J. ; Seth Jaffe ; Mooney, Alexander W. ; Fackler, Stephen W. (b)(6) - Rob Shapiro and Rob Sauter emails  
; Deborah J. Bortot ; Heather A. Jones  
**Cc:** Director of OGE  
**Subject:** RE: In preparation for preclearance

Good Afternoon:

There are two outstanding items on the 278 report:

(b)(3), (5), (6)

There are also three other items that will need to be addressed before preclearance:

(b)(3), (5), (6)

NOTE: Confirm no outstanding issues and then delete all comments and questions that have been entered in Integrity

NOTE: Respond to the "In preparation for preclearance" e-mail that was sent 1/31/17 from Seth Jaffe

If you have any questions, please let me know.

Thanks, Elaine

Elaine Newton

Attorney-Advisor

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3915

Telephone: 202-482-9265

**From:** Hudson, Kian J. [mailto:KHudson@gibsondunn.com]

**Sent:** Wednesday, February 01, 2017 12:57 PM

**To:** Seth Jaffe; Mooney, Alexander W.; Fackler, Stephen W.; [REDACTED] Elaine Newton; Deborah J. Bortot; Heather A. Jones

**Cc:** Director of OGE

**Subject:** RE: In preparation for preclearance

Good afternoon, everyone:

This new language has been added to the OGE Form 278e on Integrity.

Thanks,

-Kian

**From:** Seth Jaffe [mailto:sjaffe@oge.gov]

**Sent:** Wednesday, February 1, 2017 11:51 AM

**To:** Mooney, Alexander W. <AMooney@gibsondunn.com>; Fackler, Stephen W. <SFackler@gibsondunn.com>; Hudson, Kian J. <KHudson@gibsondunn.com>; [REDACTED]

Elaine Newton <enewton@oge.gov>; Deborah J. Bortot <djborot@oge.gov>; Heather A. Jones <hajones@oge.gov>

**Cc:** Director of OGE <director@oge.gov>

**Subject:** RE: In preparation for preclearance

Dear folks,

I just wanted to get you all the new language for Part 3 of the report for Integrity that is consistent with the latest draft ethics agreement OGE sent for review. This is to facilitate preclearance as soon as possible after all issues have been resolved.

Also, I included my previous email preparing for preclearance and we will still need confirmation of the items on that list prior to preclearance.

Thanks,

Seth

New language for Part 3 in Integrity to replace the language currently on Part 3 in Integrity:

Line 1:

(b)(3), (4), (5), (6)

A large rectangular area of the document is completely redacted with black ink, covering approximately seven lines of text.

Line 2:

(b)(3), (5), (6)

A smaller rectangular area of the document is redacted with black ink, covering two lines of text.



**From:** Elaine Newton  
**To:** "Shapiro, Robert - SOL"; Deborah J. Bortot; Heather A. Jones; Seth Jaffe; Director of OGE  
**Cc:** Sadler, Rob - SOL; Rikleen, Rachel S - SOL; Mancher, Zachary D - SOL  
**Subject:** RE: Puzder - (b)(3); (6)  
**Date:** Thursday, February 02, 2017 12:29:18 PM

---

Bob,

(b)(3); (5); (6)

A large rectangular area of the document is completely redacted with black ink, covering several lines of text.


Thanks, Elaine



Elaine Newton  
Attorney-Advisor  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265

Record referred to DOL

A very large rectangular area of the document is completely redacted with black ink, covering the majority of the lower half of the page.

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**From:** Mooney, Alexander W. [mailto:[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com)]  
**Sent:** Wednesday, February 01, 2017 7:52 PM  
**To:** Shapiro, Robert - SOL; Sadler, Rob - SOL  
**Cc:** Fackler, Stephen W.; Hudson, Kian J.  
**Subject:** (b)(3), (6) 

Bob and Rob -- please see the attached policy and feel free to share with OGE. (b)(3), (5), (6)   


Thanks,  
Alex

Alexander Mooney

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.887.3751 • Fax +1 202.530.9584  
[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

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**From:** "Mooney, Alexander W." <[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com)>  
**Date:** February 2, 2017 at 12:54:07 PM EST  
**To:** "Shapiro, Robert - SOL" <(b) (6)>, "Sadler, Rob - SOL" <(b) (6)>  
**Cc:** "Fackler, Stephen W." <[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)>, "Hudson, Kian J." <[KHudson@gibsondunn.com](mailto:KHudson@gibsondunn.com)>  
**Subject:** RE: (b)(3), (6)

Thank you Bob. We were actually mistaken about the date of (b) (6). Please let us know if any further information is needed.

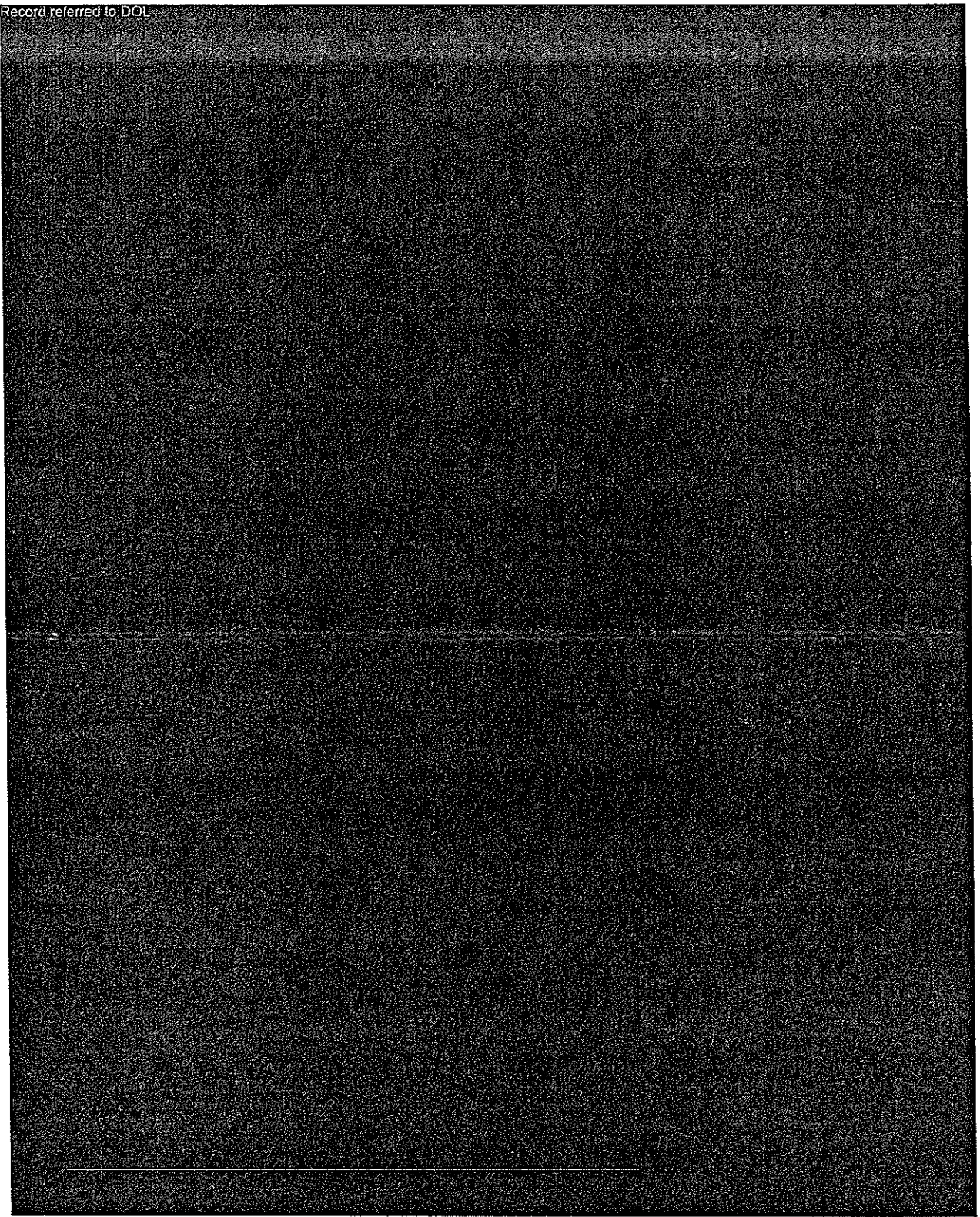
Best,  
Alex

Alexander Mooney

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.887.3751 • Fax +1 202.530.9584  
[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)





**From:** Heather A. Jones  
**To:** Kimberly L. Sikora Panza  
**Subject:** Valuation  
**Date:** Thursday, February 02, 2017 2:23:06 PM

---

(b) (5)



Heather Jones  
(202) 482-9316  
Office of Government Ethics

Visit OGE's website: [www.oge.gov](http://www.oge.gov)  
Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

On Feb 2, 2017, at 7:21 PM, Fackler, Stephen W. <[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)> wrote:

We are available at 11 AM Eastern. We assume that Bob or Rob will send around the dial-in information.

Best, Steve

**Stephen W. Fackler**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1881 Page Mill Road, Palo Alto, CA 94304-1211  
Tel +1 650.849.5385 • Fax +1 650.849.5085  
[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

**From:** Seth Jaffe [<mailto:sjaffe@oge.gov>]

**Sent:** Thursday, February 2, 2017 2:48 PM

**To:** 'Shapiro, Robert - SOL' <(b) (6)>; Mooney, Alexander W. <[AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com)>; Fackler, Stephen W. <[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)>; Hudson, Kian J. <[KHudson@gibsondunn.com](mailto:KHudson@gibsondunn.com)>; Sadler, Rob - SOL <(b) (6)>; Elaine Newton <[enewton@oge.gov](mailto:enewton@oge.gov)>; Deborah J. Bortot <[djbortot@oge.gov](mailto:djbortot@oge.gov)>; Heather A. Jones <[hajones@oge.gov](mailto:hajones@oge.gov)>; Bopp, Michael D. <[MBopp@gibsondunn.com](mailto:MBopp@gibsondunn.com)>

**Cc:** Director of OGE <[director@oge.gov](mailto:director@oge.gov)>

**Subject:** Call tomorrow

Dear folks,

Based on new information we have received today it appears that there are still a

(b) (5)

We need to have a call to discuss these new and still unresolved issues.



Can we do a call tomorrow at 11:00am? Hopefully 11:00am will work, but if not how about 1:00pm?

Thanks,  
Seth

Record referred to DOL



---

**From:** Seth Jaffe [<mailto:sjaffe@oge.gov>]  
**Sent:** Wednesday, February 01, 2017 12:51 PM  
**To:** 'A'Mooney@gibsondunn.com'; 'SFackler@gibsondunn.com';  
'KHudson@gibsondunn.com'; Shapiro, Robert - SOL; Sadler, Rob - SOL; Elaine Newton;  
Deborah J. Bortot; Heather A. Jones  
**Cc:** Director of OGE  
**Subject:** call today  
**Importance:** High

Dear folks,

We should have a call to discuss any remaining issues. Folks here at OGE are available for a call beginning today anytime between 1:00pm – 4:00pm EST. Otherwise the call would have to after 8:00pm EST.

Maybe Labor or Gibson Dunn could set up the call-in number?



Thanks,  
Seth

Seth H. Jaffe  
Chief, Ethics Law & Policy Branch  
U.S. Office of Government Ethics  
(202) 482-9303

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**From:** Seth Jaffe  
**To:** "Sadler, Rob - SOL"; Shapiro, Robert - SOL; Elaine Newton  
**Subject:** RE: Updates  
**Date:** Monday, February 06, 2017 9:38:23 AM

---

Bob,

Can we give you a call now?

Seth

Record referred to DOL



Record referred to DOL





**From:** [Elaine Newton](#)  
**To:** [Seth Jaffe](#)  
**Cc:** [Elaine Newton](#)  
**Subject:** FW: Terms of Ethics Agreement (Puzder)  
**Date:** Monday, February 06, 2017 10:28:11 AM  
**Attachments:** [Revised EA 2-6-17 \(EN comments\).doc](#)

---

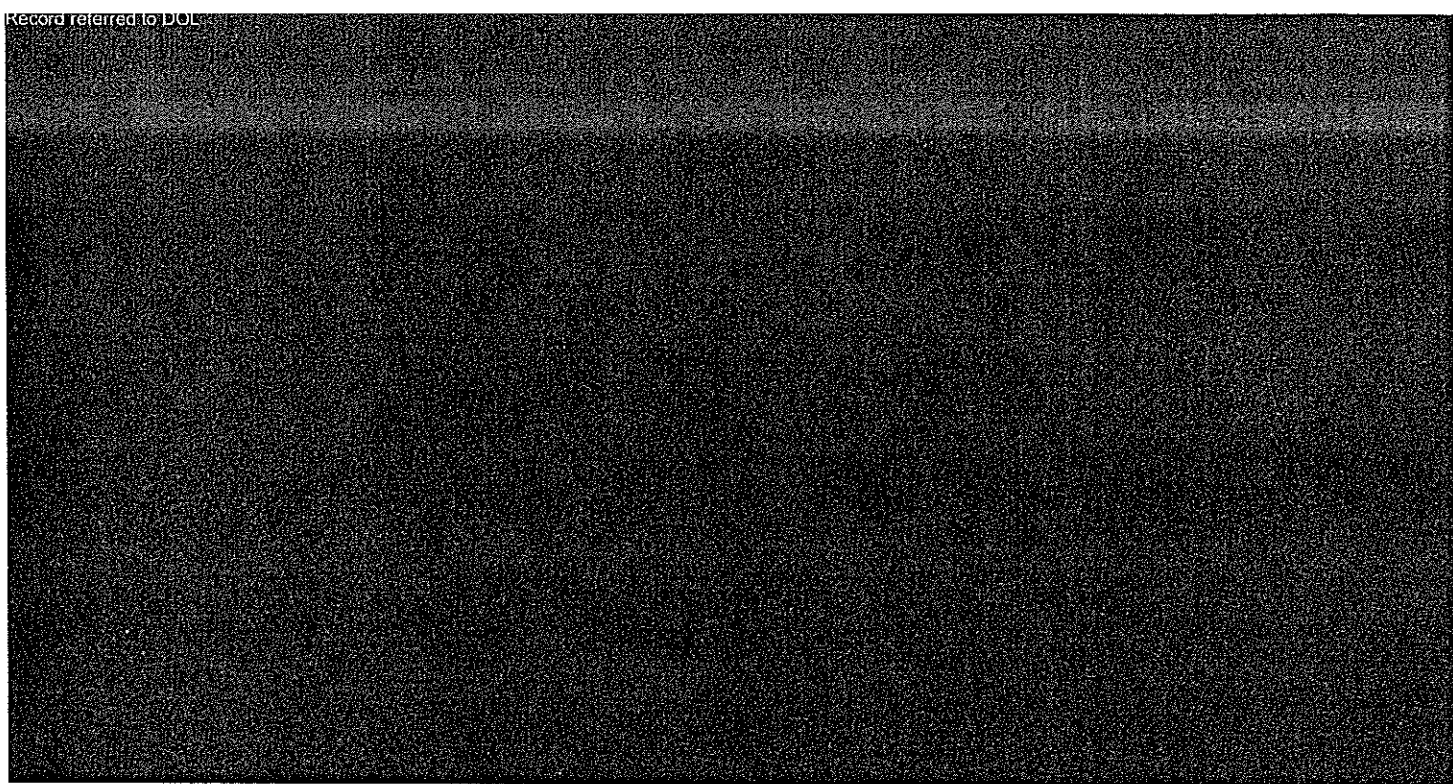
9 page attachment withheld in full - (b)  
(3), (4), (5), (6)

Seth,

I added two comments to the latest version of the ethics agreement. Is this sufficient?

Record referred to DOL







**From:** Elaine Newton  
**To:** "Sadler, Rob - SQL"; Seth Jaffe; Mogney, Alexander W. (AMooney@gibsondunn.com); Hudson, Kian J. (KHudson@gibsondunn.com)  
**Cc:** Fackler, Stephen W. (SFackler@gibsondunn.com); Shapiro, Robert - SQL; Rikleen, Rachel S - SQL; Director of OGE; Deborah J. Bortot; Heather A. Jones; Seth Jaffe  
**Subject:** RE: Revised Ethics Agreement  
**Date:** Monday, February 06, 2017 11:36:53 AM  
**Attachments:** Revised EA 2-6-17.doc

9 page attachment withheld in full -  
(b)(3), (4), (5), (6)

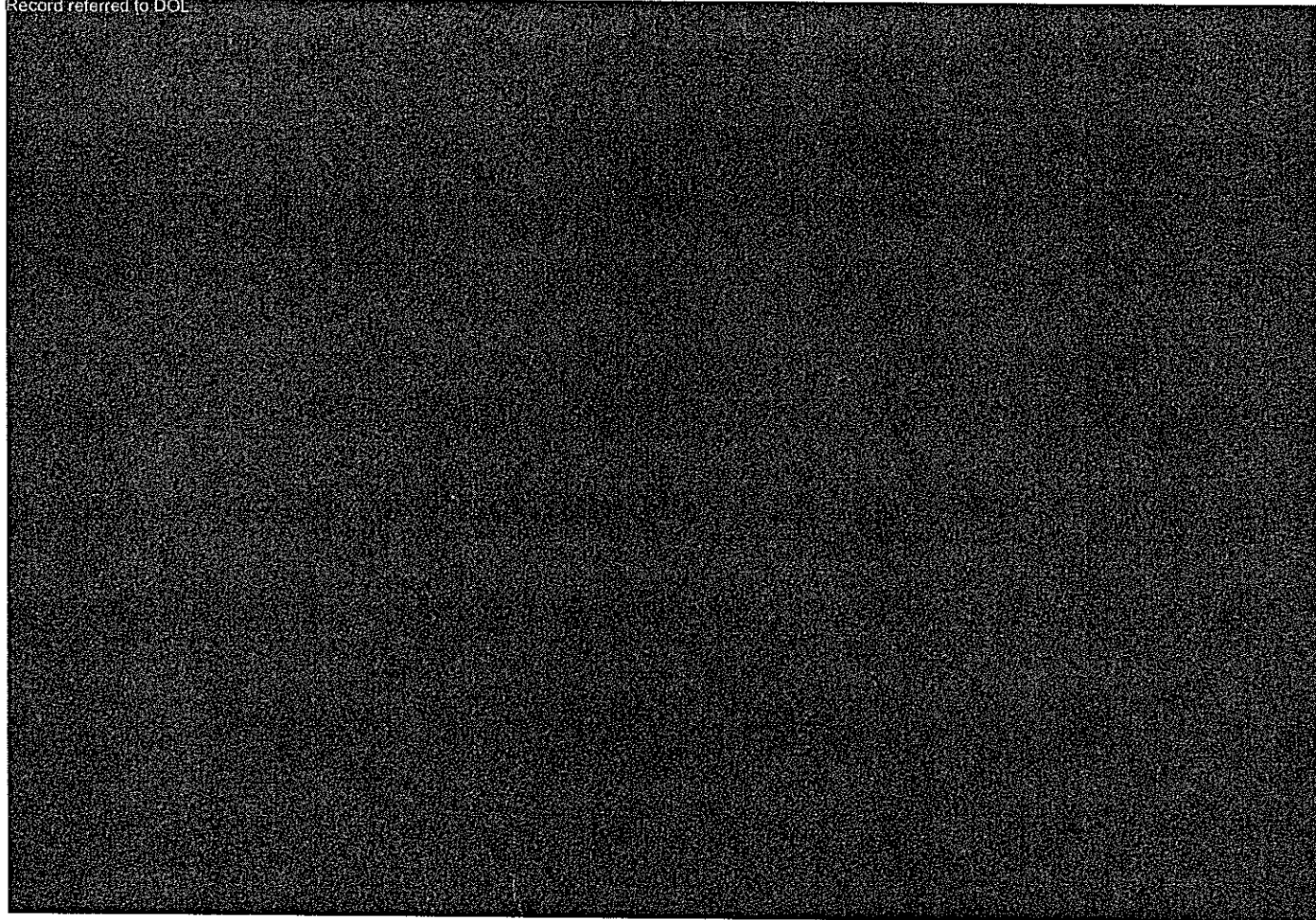
Good Morning,

Per this morning's discussion, attached is a revised ethics agreement.

Thanks, Elaine

Elaine Newton  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265

Record referred to DOL



**From:** Elaine Newton  
**To:** Director of OGE; Seth Jaffe  
**Bcc:** Elaine Newton  
**Subject:** FW: Revised EA 2-6-17 (2).doc  
**Date:** Monday, February 06, 2017 4:54:24 PM

---

Below is the e-mail from Mr. Puzder's attorney.

Record referred to DOL



**From:** Fackler, Stephen W. [mailto:[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)]  
**Sent:** Monday, February 06, 2017 4:37 PM  
**To:** Shapiro, Robert - SOL  
**Cc:** Sadler, Rob - SOL; Fackler, Stephen W.; Mooney, Alexander W.; Hudson, Kian J.  
**Subject:** RE: Revised EA 2-6-17 (2).doc

(b)(3), (4), (5), (6)





(b)(3), (4), (5), (6)



Let me know if you have any questions.

Best, Steve

**Stephen W. Fackler**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP

1881 Page Mill Road, Palo Alto, CA 94304-1211

Tel +1 650.849.5385 • Fax +1 650.849.5085

[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

Record referred to DOL



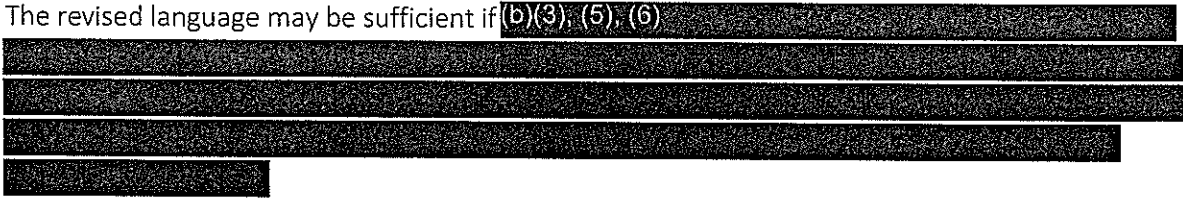
Record referred to DOL



**From:** Elaine Newton [<mailto:enewton@oge.gov>]  
**Sent:** Monday, February 06, 2017 4:13 PM  
**To:** Shapiro, Robert - SOL  
**Cc:** Sadler, Rob - SOL; Seth Jaffe  
**Subject:** RE: Revised EA 2-6-17 (2).doc

Bob,

The revised language may be sufficient if (b)(3), (5), (6)



Please let me know if you have any questions.

Thanks, Elaine

Elaine Newton  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265

Record referred to DOL





**From:** Fackler, Stephen W. [mailto:SFackler@gibsondunn.com]  
**Sent:** Monday, February 06, 2017 1:34 PM  
**To:** Shapiro, Robert - SOL; Sadler, Rob - SOL  
**Cc:** Fackler, Stephen W.  
**Subject:** Revised EA 2-6-17 (2).doc

No attachment was found in search

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**From:** Elaine Newton  
**To:** Director of OGE  
**Cc:** Seth Jaffe  
**Bcc:** Elaine Newton  
**Subject:** Revised EA  
**Date:** Monday, February 06, 2017 5:35:35 PM  
**Attachments:** Revised EA 2-6-17 (530pm).doc

9 page attachment withheld in full - (b)(3), (4), (5), (6)

Stephen Fackler sent the following to Bob Shapiro this evening. Based on this, I (b)(3), (5), (6)

Attached is the revised EA.

Elaine

**From:** Fackler, Stephen W. [mailto:SFackler@gibsondunn.com]  
**Sent:** Monday, February 06, 2017 4:37 PM  
**To:** Shapiro, Robert - SOL  
**Cc:** Sadler, Rob - SOL; Fackler, Stephen W.; Mooney, Alexander W.; Hudson, Kian J.  
**Subject:** RE: Revised EA 2-6-17 (2).doc

(b)(3), (5), (6)

Let me know if you have any questions.

Best, Steve  
Stephen W. Fackler

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1881 Page Mill Road, Palo Alto, CA 94304-1211  
Tel +1 650.849.5385 • Fax +1 650.849.5085  
[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

**From:** Elaine Newton  
**To:** Seth Jaffe  
**Cc:** Deborah J. Bortot; Heather A. Jones  
**Bcc:** Elaine Newton  
**Subject:** FW: Revised EA  
**Date:** Monday, February 06, 2017 6:11:05 PM  
**Attachments:** Revised EA 2-6-17 (555pm).doc

9 page attachment withheld in full - (b) (3), (4), (5), (6)

In addition to the email on the changes to Part 3, I will include a copy of the Director's e-mail on the CD timing, and request that Mr. Puzder personally review the "In preparation for preclearance" email that Seth sent. Please let me know if I am missing anything.

Thanks, Elaine

---

**From:** Elaine Newton  
**Sent:** Monday, February 06, 2017 6:07 PM  
**To:** Fackler, Stephen W. (SFackler@gibsondunn.com); Mooney, Alexander W. (AMooney@gibsondunn.com); 'Shapiro, Robert - SOL'; Director of OGE  
**Cc:** Sadler, Rob - SOL; Hudson, Kian J. (KHudson@gibsondunn.com); Deborah J. Bortot; Heather A. Jones; Seth Jaffe  
**Subject:** Revised EA

Attached is the revised EA incorporating today's discussions. At the top of page 2, "(b) (5)" I believe this will be the final change on the EA. Tomorrow morning, I will send an email with the changes that must be made to Part 3, Agreement and Arrangements, of the 278.

Please let me know if you have any questions.

No attachment was found in search

Thanks, Elaine

Elaine Newton  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265



**From:** Elaine Newton [mailto:enewton@oge.gov]

**Sent:** Monday, February 06, 2017 6:07 PM

**To:** Fackler, Stephen W. (SFackler@gibsondunn.com); Mooney, Alexander W. (AMooney@gibsondunn.com); Shapiro, Robert - SOL; Director of OGE

**Cc:** Sadler, Rob - SOL; Hudson, Kian J. (KHudson@gibsondunn.com); Deborah J. Bortot; Heather A. Jones; Seth Jaffe

**Subject:** Revised EA

Attached is the revised EA incorporating today's discussions. At the top of page 2, (b) (5) [REDACTED] I believe this will be the final change on the EA. Tomorrow morning, I will send an email with the changes that must be made to Part 3, Agreement and Arrangements, of the 278.

Please let me know if you have any questions.

No attachment was found in search [REDACTED]



Thanks, Elaine

Elaine Newton  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265

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**From:** Elaine Newton  
**To:** "Fackler, Stephen W."; Hudson, Kian J.; Mooney, Alexander W.  
**Cc:** "Shapiro, Robert - SOL"; Sadler, Rob - SOL; Seth Jaffe  
**Subject:** RE: Integrity Revisions  
**Date:** Tuesday, February 07, 2017 2:47:36 PM

---

Sorry for the confusion. Mr. Puzder should send the email to Robert Shapiro as Designated Agency Ethics Official at the Department of Labor and Bob can forward the email to OGE.

Thanks, Elaine

---

**From:** Fackler, Stephen W. [mailto:SFackler@gibsondunn.com]  
**Sent:** Tuesday, February 07, 2017 2:44 PM  
**To:** Elaine Newton; Hudson, Kian J.; Mooney, Alexander W.  
**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; Seth Jaffe; Fackler, Stephen W.  
**Subject:** RE: Integrity Revisions

Thank you. I will confirm with him, but when we last spoke about this topic, Mr. Puzder is prepared to send that email. Exactly to whom should that email be sent? I have heard different things on that point.

Stephen W. Fackler

## GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1881 Page Mill Road, Palo Alto, CA 94304-1211  
Tel +1 650.849.5385 • Fax +1 650.849.5085  
[SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

**From:** Elaine Newton [mailto:enewton@oge.gov]  
**Sent:** Tuesday, February 7, 2017 11:30 AM  
**To:** Hudson, Kian J. <KHudson@gibsondunn.com>; Fackler, Stephen W. <SFackler@gibsondunn.com>; Mooney, Alexander W. <AMooney@gibsondunn.com>  
**Cc:** 'Shapiro, Robert - SOL' (b) (6) <(b) (6)>; Sadler, Rob - SOL <(b) (6)>; Seth Jaffe <sjaffe@oge.gov>  
**Subject:** RE: Integrity Revisions

Thank you for making the changes. I do not have any additional questions or comments regarding the report. The only item we need before we can begin preclearance is an e-mail from the Nominee to the agency ethics official confirming that he has reviewed the list of some of the material representations on which we are relying and that those material representations are correct.

Thanks,  
Elaine

**From:** Hudson, Kian J. [mailto:KHudson@gibsondunn.com]  
**Sent:** Tuesday, February 07, 2017 1:40 PM  
**To:** Elaine Newton; Fackler, Stephen W.; Mooney, Alexander W.  
**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; Seth Jaffe  
**Subject:** RE: Integrity Revisions

Good afternoon all,

The suggested changes to the SF-278e have been made in Integrity. Please confirm that no other changes to the SF-278 need to be made.

Thanks,

-Kian

**From:** Elaine Newton [mailto:enewton@oge.gov]  
**Sent:** Tuesday, February 7, 2017 11:07 AM  
**To:** Hudson, Kian J. <KHudson@gibsondunn.com>; Fackler, Stephen W. <SFackler@gibsondunn.com>; Mooney, Alexander W. <AMooney@gibsondunn.com>  
**Cc:** 'Shapiro, Robert - SOL' (b) (6) <(b) (6)>; Sadler, Rob - SOL (b) (6) <(b) (6)>; Seth Jaffe <sjaffe@oge.gov>

**Subject:** RE: Integrity Revisions

Hi Kian,

The dates these agreements began are the appropriate dates for the 278 report.

Elaine

**From:** Hudson, Kian J. [mailto:KHudson@gibsondunn.com]

**Sent:** Tuesday, February 07, 2017 11:04 AM

**To:** Elaine Newton; Fackler, Stephen W.; Mooney, Alexander W.

**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; Seth Jaffe

**Subject:** RE: Integrity Revisions

Hi Elaine,

(b)(3), (5), (6)

. Can you confirm that the dates these agreements began are the appropriate ones for the SF-278?

Many thanks,

-Kian

**From:** Elaine Newton [mailto:enewton@oge.gov]

**Sent:** Tuesday, February 7, 2017 10:49 AM

**To:** Hudson, Kian J. <KHudson@gibsondunn.com>; Fackler, Stephen W. <SFackler@gibsondunn.com>; Mooney, Alexander W. <AMooney@gibsondunn.com>

**Cc:** 'Shapiro, Robert - SOL' (b)(6); Sadler, Rob - SOL <(b)(6)>; Seth Jaffe <sjaaffe@oge.gov>

**Subject:** RE: Integrity Revisions

Good Morning,

For Part 3, (b)(6)

Elaine

**From:** Hudson, Kian J. [mailto:KHudson@gibsondunn.com]

**Sent:** Tuesday, February 07, 2017 10:36 AM

**To:** Elaine Newton; Fackler, Stephen W.; Mooney, Alexander W.

**Cc:** 'Shapiro, Robert - SOL'; Sadler, Rob - SOL; Seth Jaffe

**Subject:** RE: Integrity Revisions

Hi Elaine,

We'd like to confirm that the following dates are the ones you are looking for on the (b)(3), (5), (6)

Many thanks,

-Kian

**From:** Elaine Newton [mailto:enewton@oge.gov]

**Sent:** Tuesday, February 7, 2017 9:37 AM

**To:** Fackler, Stephen W. <SFackler@gibsondunn.com>; Mooney, Alexander W. <AMooney@gibsondunn.com>; Hudson, Kian J. <KHudson@gibsondunn.com>

**Cc:** 'Shapiro, Robert - SOL' (b)(6); Sadler, Rob - SOL (b)(6); Seth Jaffe <sjaaffe@oge.gov>

**Subject:** Integrity Revisions

Good Morning,

Below are the additions and changes that must be made to the Integrity report. I have also attached two e-mails: (1) the January 27, 2017, e-mail from Walter Shaub discussing the timing for requesting a CD ("Availability this weekend"). (b)(3), (5), (6)

Attachments included in this set of records



the February 3, 2017, e-mail from Seth Jaffe discussing the information that the Nominee must personally review prior to preclearance ("In preparation for preclearance").

Integrity Changes

(b)(3), (4), (5), (6)



Please let me know if you have any questions.

Thanks,

Elaine

Elaine Newton

Associate Counsel

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3915

Telephone: 202-482-9265

**From:** Elaine Newton

**Sent:** Monday, February 06, 2017 6:07 PM

**To:** Fackler, Stephen W. ([SFackler@gibsondunn.com](mailto:SFackler@gibsondunn.com)); Mooney, Alexander W.

([AMooney@gibsondunn.com](mailto:AMooney@gibsondunn.com)); 'Shapiro, Robert - SOL'; Director of OGE

**Cc:** Sadler, Rob - SOL; Hudson, Kian J. ([KHudson@gibsondunn.com](mailto:KHudson@gibsondunn.com)); Deborah J. Bortot; Heather A. Jones; Seth Jaffe

**Subject:** Revised EA

Attached is the revised EA incorporating today's discussions. At the top of page 2, (b) (5)

(b) (5) .” I believe this will be the final change on the EA. Tomorrow morning, I will send an email with the changes that must be made to Part 3, Agreement and Arrangements, of the 278. Please let me know if you have any questions.

Thanks, Elaine

Elaine Newton

Associate Counsel

U.S. Office of Government Ethics

1201 New York Ave., NW, Suite 500

Washington, DC 20005-3915

Telephone: 202-482-9265

No attachment was found in search

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**From:** Walter M. Shaub  
**To:** "Shapiro, Robert - SOL"; Seth Jaffe; Elaine Newton  
**Cc:** Heather A. Jones; Deborah J. Bortot; Sadler, Rob - SOL; Nicole Stein; Nelson Cabrera Jr.; Suzanne L. Meyer  
**Subject:** RE: Availability this weekend  
**Date:** Friday, January 27, 2017 6:15:16 PM

---

Great. Thanks, Bob!

(b)(5), (6)

Here's what we'll need:

(b)(5), (6)

Walt  
Walter M. Shaub, Jr.  
Director

U.S. Office of Government Ethics  
1201 New York Avenue, NW, Suite 500  
Washington, DC 20005-3917  
Telephone: 202.482.9292  
Email: [walter.shaub@oge.gov](mailto:walter.shaub@oge.gov)

Record referred to DOL



**From:** Walter M. Shaub [<mailto:wmschaub@oge.gov>]  
**Sent:** Friday, January 27, 2017 4:20 PM



**To:** Shapiro, Robert - SOL; Seth Jaffe; Elaine Newton  
**Cc:** Heather A. Jones; Deborah J. Bortot  
**Subject:** RE: Availability this weekend  
Bob,

No attachment produced in search

Attached is a revised ethics agreement.

(b)(3), (5), (6)



I will monitor my blackberry over the weekend, as will Seth and Heather. Elaine has the ability to log into the system remotely if we let her know that we have received an update.

Walt  
Walter M. Shaub, Jr.  
Director  
U.S. Office of Government Ethics  
1201 New York Avenue, NW, Suite 500  
Washington, DC 20005-3917  
Telephone: 202.482.9292  
Email: [walter.schaub@oge.gov](mailto:walter.schaub@oge.gov)

Record referred to DOL





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**From:** Puzder, Andy  
**To:** Shapiro, Robert - SOL  
**Cc:** Elaine Newton; Seth Jaffe; Fackler, Stephen W.  
**Subject:** Re: OGE Request  
**Date:** Tuesday, February 07, 2017 3:08:42 PM

---

Thanks. And feel free to call me Andy.

Sent from my iPhone

Record referred to DOL



**From:** Puzder, Andy [(b) (6)]  
**Sent:** Tuesday, February 07, 2017 2:59 PM  
**To:** Shapiro, Robert - SOL; [enewton@oge.gov](mailto:enewton@oge.gov); [sjaffe@oge.gov](mailto:sjaffe@oge.gov)  
**Cc:** Fackler, Stephen W.  
**Subject:** OGE Request

Dear Mr. Shapiro:

At your request, I am confirming the following material representations on which the Office of Government Ethics may rely.

1. I have personally reviewed all entries in the current version of my report on Form 278e and I affirm that they are correct.

[(b)(3), (6)]



4. For Part 1 and Part 4, I have provided information covering the entire reporting period of January 1, 2015, to present.

5. For Part 2, Part 5, and Part 6, I have provided information covering the entire reporting period of January 1, 2016, to present.

6. Except as expressly reported in the OGE Form 278e, [(b)(3), (6)]



[(b)(3), (6)]





8. The ethics agreement correctly describes all items addressed in the agreement.

Respectfully submitted,

Andrew F. Puzder

**From:** Elaine Newton  
**To:** (b)(6) Stefan Passantino  
**Cc:** (b)(6) James Schultz & Ann Donaldson email; Shapiro, Robert - SOL; "Sadler, Rob - SOL"; Seth Jaffe  
**Subject:** RE: PRECLEASED: Andrew F. Puzder  
**Date:** Tuesday, February 07, 2017 5:11:04 PM  
**Attachments:** EA for preclearance-[Puzder].doc

---

Attached is the precleared ethics agreement for Mr. Puzder. Please let me know if you have any questions.

Thanks, Elaine

Elaine Newton  
Associate Counsel  
U.S. Office of Government Ethics  
1201 New York Ave., NW, Suite 500  
Washington, DC 20005-3915  
Telephone: 202-482-9265

9 page attachment withheld in full -  
Final version available at <https://extapps2.oge.gov/201/Presiden.nsf/PAS%20Index?OpenView>

---

**From:** Seth Jaffe  
**Sent:** Tuesday, February 07, 2017 4:49 PM  
**To:** (b)(6) Stefan Passantino  
**Cc:** (b)(6) James Schultz & Ann Donaldson email; Elaine Newton; Shapiro, Robert - SOL; "Sadler, Rob - SOL"; Deborah J. Bortot; Heather A. Jones; Sandra S. Mabry; Keith Labedz; Teresa L. Williamson; Rodrick T. Johnson; David J. Apol  
**Subject:** PRECLEASED: Andrew F. Puzder

Stefan, Andrew F. Puzder is precleared.

Elaine, please forward the ethics agreement to Stefan.

Thanks!  
Seth

Seth H. Jaffe  
Chief, Ethics Law & Policy Branch  
U.S. Office of Government Ethics  
(202) 482-9303

**From:** [Integrity.gov](https://integrity.gov)  
**To:** [David J. Apol](#)  
**Subject:** Integrity.gov: Report Pending Action  
**Date:** Wednesday, February 08, 2017 11:17:09 AM

---

A 2017 Nominee report for Puzder, Andrew F is pending your action as OGE Nominee Certifying Official. You may access the report by logging into integrity at <https://integrity.gov>.



Record referred to DOL



---

**From:** Seth Jaffe [mailto:sjaffe@oge.gov]  
**Sent:** Wednesday, February 08, 2017 2:51 PM  
**To:** Shapiro, Robert - SOL; Elaine Newton  
**Cc:** Sadler, Rob - SOL  
**Subject:** RE: Any update?

Bob,

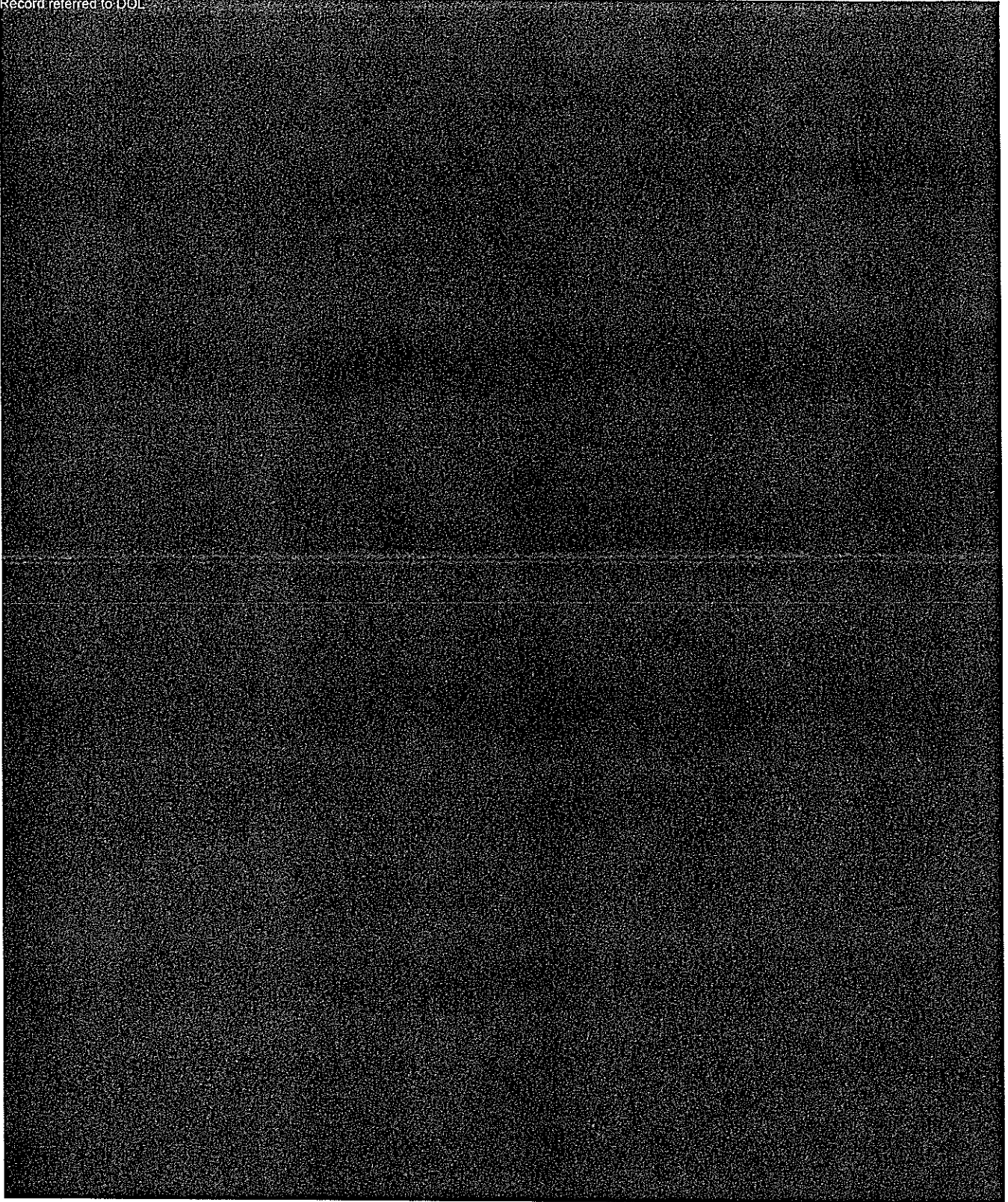
Yes they have. They were sent at 12:12pm and the receipt was confirmed.

Thank you for your great work on this!

Seth

Record referred to DOL







**From:** Elaine Newton  
**To:** "Sadler, Rob - SOL"  
**Subject:** RE: Public Financial Disclosure Report of Andrew F. Puzder  
**Date:** Wednesday, February 08, 2017 3:02:32 PM

---

Rob,

Thank you!! Please let me know when you are ready for OGE to review the draft CD documents.

Elaine

Record referred to DOL



---

**From:** Teresa L. Williamson [mailto:tlwillia@oge.gov]  
**Sent:** Wednesday, February 08, 2017 2:36 PM  
**To:** Elaine Newton; Sadler, Rob - SOL  
**Subject:** Public Financial Disclosure Report of Andrew F. Puzder

Final EA and final senate letter released below; 278 financial disclosure report withheld in full - (b)(3) - Available at <https://extapps2.oge.gov/201/Presiden.nsf/PAS%20Index?OpenView>

Good Afternoon,

I've attached the financial disclosure package for Andrew F. Puzder, who has been nominated by President Trump for the position of Secretary, Department of Labor.

Thanks!



Teresa Williamson  
Presidential Nominations Branch  
U.S. Office of Government Ethics  
1201 New York Avenue, NW - Suite 500  
Washington, DC 20005  
202-482-9283

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**From:** Elaine Newton  
**To:** "Rikleen, Rachel S - SOL"  
**Cc:** Sadler, Rob - SOL; Shapiro, Robert - SOL; Mancher, Zachary D - SOL; Brown, Marilyn - SOL  
**Subject:** RE: Draft CD request paperwork  
**Date:** Wednesday, February 15, 2017 2:09:31 PM

---

Good Afternoon,

The draft looks fine. I did a quick scan of the holdings and noticed a couple of typos (b)(3), (5), (6)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please let me know if you have any questions.

Thanks, Elaine

Record referred to DOL

[REDACTED]

**From:** Heather A. Jones  
**To:** Deborah J. Bortot; Seth Jaffe; Elaine Newton  
**Subject:** Puzder  
**Date:** Wednesday, February 15, 2017 3:28:13 PM

---

There are reports on twitter and Fox News that Puzder is withdrawing.

Heather Jones  
(202) 482-9316  
Office of Government Ethics

Visit OGE's website: [www.oge.gov](http://www.oge.gov)  
Follow OGE on Twitter: @OfficeGovEthics



UNITED STATES OFFICE OF  
GOVERNMENT ETHICS

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February 8, 2017

The Honorable Lamar Alexander  
Chairman  
Committee on Health, Education,  
Labor, and Pensions  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Andrew F. Puzder, who has been nominated by President Trump for the position of Secretary, Department of Labor.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

WALTER  
SHAUB

Walter M. Shaub, Jr.  
Director

Digitally signed by WALTER SHAUB  
DN: c=US, o=U.S. Government, ou=Office of  
Government Ethics, cn=WALTER SHAUB,  
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Date: 2017.02.08 12:06:37 -05'00'

Enclosures



February 7, 2017

Mr. Robert A. Shapiro  
Alternate Designated Agency Ethics Official  
U.S. Department of Labor  
200 Constitution Ave., NW, Rm. N2700  
Washington, DC 20210

Dear Mr. Shapiro:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Secretary of the U.S. Department of Labor.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my positions with CKE Restaurants Holdings, Inc. ("CKE Restaurant"). CKE Restaurant is controlled by CKE Holdings, L.P. ("CKE LP"). I have a partnership interest in CKE LP, in the form of Class A Units and vested and unvested Class B Units. Except for these units, I do not have any stocks, securities, or other equity interests in CKE Restaurant, CKE LP, or any of their affiliates, subsidiaries, or parent entities. I do not have any deferred compensation, and I will not receive any severance payment or partnership distribution. Before I assume the duties of the position of Secretary, I will receive my 2016 bonus. I will forfeit this bonus if I do not receive it before I assume the duties of the position of Secretary. Before I assume the duties of the position of Secretary, I will also receive outstanding relocation benefits owed to reimburse me for moving to Tennessee in 2016, including costs associated with the sale of my house that was finalized in 2017. I will forfeit any portion of these relocation benefits that I have not received as of the date I assume the duties of the position of Secretary.

Upon resignation, I will forfeit my unvested Class B Units. CKE LP and one of its subsidiaries, CKE Holding Corporation, Inc. ("CKE CORP"), will purchase my Class A Units and my vested Class B Units. To accomplish this purchase, CKE LP will issue me an amount of CKE CORP stock estimated to be equal in value to my Class A Units and vested Class B Units, based on an internal valuation of the company as of December 31, 2016. CKE CORP will then purchase this CKE CORP stock from me. I will receive full payment from CKE CORP for the purchase of this stock before I assume the duties of the

position of Secretary, or I will forfeit any portion of the payment that I have not received and any stock that I continue to hold as of the date I assume the duties of the position of Secretary.

During my appointment as Secretary, I will not participate personally and substantially in any particular matter in which I know CKE Restaurant or CKE Holdings, is a party or represents a party, unless: (a) during the first two years of my appointment, I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c); or, thereafter, (b) I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). Consistent with 5 C.F.R. § 2635.102(k), this recusal also applies to any entity that owns a 50% or greater interest in CKE Restaurant or CKE Holdings, as well as to any entity in which either CKE Restaurant or CKE Holdings has a 50% or greater ownership interest. During my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will provide you with a list of all such entities.

In January 2017, I resigned from my positions with the International Franchise Association and the American Enterprise Institute. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I will divest my interests in the entities identified in Attachment A within 90 days of my confirmation and the entities identified in Attachment B within 180 days of my confirmation. The reason for extending the timeframe to 180 days for the entities identified in Attachment B is that they are illiquid investment funds and it may take longer to divest them. I am, however, committed to divesting all of these entities as promptly as is reasonably practicable, and I may not need the entire 90-day or 180-day period to complete all divestitures. As to the entities subject to the 180-day deadline, you have advised me that you may be willing to consider a brief extension of up to 60 days for a subset of these entities, provided that I demonstrate that I have made substantial progress toward completing the divestiture of all of these entities by the end of the 180-day time period. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity—or, in the case of an investment fund, the entity or any of its underlying assets—until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(2). Preexisting confidentiality agreements as to some of the entities identified in Attachment B limit the release of information regarding their underlying assets; however, during my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will work with you to develop an effective recusal mechanism for particular matters affecting any of these investment funds or any underlying asset.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that



Mr. Robert A. Shapiro  
Alternate Designated Agency Ethics Official  
Page 3

all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

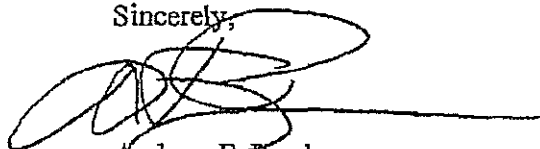
If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Secretary in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order no. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Andrew F. Puzder

ATTACHMENT A

1. 3M Co.
2. Abbott Laboratories
3. AbbVie Inc.
4. Accor S.A.
5. ACS Actividades de Construccion y Servicios
6. Adecco Group AG
7. Adidas AG
8. Aegon N.V.
9. Aercap Holdings N.V.
10. Air Products & Chemicals Inc.
11. Alerian MLP ETF
12. Altria Group Inc.
13. AmBev S.A.
14. America Movil S.A.B. de C.V.
15. Amgen Inc.
16. Analog Devices Inc.
17. Apollo Investment Corp.
18. Apple Inc.
19. Ares Capital Corp.
20. Arthur J Gallagher & Co.
21. Astellas Pharma Inc.
22. AstraZeneca Plc
23. Atos Origin S.A.
24. AT&T Inc.
25. Automatic Data Processing Inc.
26. Axa S.A.
27. Banco Bilbao Vizcaya Argentaria S.A.
28. Bank of America Corp.
29. Barclays Plc
30. Baxter International Inc.
31. Bayer AG
32. BB&T Corp.
33. Berkshire Hathaway Inc.
34. BG Group Plc
35. BHP Billiton Plc
36. BlackRock Inc.
37. Brookfield Property Partners LLP
38. Buckeye Partners LP
39. Care Capital Properties
40. Carlsberg A/S
41. Carrefour S.A.
42. Cisco Systems Inc.

43. Check Point Software Technologies Ltd.
44. Chevron Corp.
45. China Mobile Ltd.
46. CK Hutchison Holdings Ltd.
47. Coca Cola Co.
48. Colony Starwood Homes REIT
49. Credit Suisse X-Links Cushing MLP Infrastructure ETN
50. Crestwood Equity
51. Crown Castle Intl. Corp.
52. Daimler AG
53. DBS Group Holdings Ltd.
54. DCP Midstream Partners MLP
55. Delek Logistics
56. Denso Corp.
57. Deutsche Boerse ADR
58. Deutsche Post AG
59. Diageo Plc
60. DNB ASA
61. E.ON SE
62. Embraer S.A.
63. Emerson Electric Co.
64. Enable Midstream Partners MLP
65. Enbridge Energy Partners MLP
66. Energy Transfer Equity LP
67. Energy Transfer Partners MLP
68. Enerjex Resources Inc.
69. Engie
70. Enlink Midstream Partners MLP
71. Enterprise Products
72. EQT Midstream Partners MLP
73. Ericsson
74. European Aeronaut
75. Exxon Mobil Corp.
76. Fastenal Co.
77. Fidelity National Financial Inc.
78. Fifth Street Senior Floating Rate Corp.
79. Financial Select Sector SPDR
80. First Trust Water ETF
81. Ford Motor Co.
82. Fresenius Medical Care AG
83. GEA Group AG
84. Gemalto N.V.
85. General Electric Co.
86. Genesis Energy MLP
87. Global Logistic Properties Ltd.



88. Guggenheim S&P Global Water ETF
89. Hasbro Inc.
90. Health Care REIT Inc.
91. Heineken N.V.
92. Hershey Co.
93. Hitachi Ltd.
94. Home Depot Inc.
95. Holcim Ltd.
96. HSBC Holdings Plc
97. IHS Markit Ltd.
98. Illinois Tool Works Inc.
99. Infineon Technologies AG
100. Intel Corp.
101. Intesa Sanpaolo S.p.A.
102. iShares MSCI Mexico Capped ETF
103. iShares NASDAQ biotechnology ETF
104. Johnson & Johnson
105. JP Morgan Chase & Co.
106. Julius Baer Group Ltd.
107. Kimberly-Clark Corp.
108. Kinder Morgan Inc.
109. Komatsu Ltd.
110. Koninklijke Philips N.V.
111. Kraft Foods Group Inc.
112. Lixil Group Corp.
113. LMP Corporate Loan Fund Inc.
114. Lockheed Martin Corp.
115. LyondellBasell Industries N.V.
116. Macquarie Infrastructure Corp.
117. Magellan Midstream
118. Marsh & McLennan Companies Inc.
119. Matthews Japan Fund
120. Maxim Integrated Products Inc.
121. Mazda Motor Corp.
122. McDonald's Corp.
123. Medtronic Plc
124. Merck & Co Inc.
125. Microsoft Corp.
126. MPLX MLP
127. Murata Manufacturing Co. Ltd.
128. National Grid Plc
129. Neuberger Berman MLP Income Fund
130. New Media Investment Group Inc.
131. New Residential Investment Corp. REIT
132. New Senior Investment Group REIT

133. Newcastle Investment Corp.
134. NextEra Energy Inc.
135. Nippon Telegraph and Telephone Corp.
136. Novartis AG
137. Occidental Petroleum Corp.
138. ONEOK Inc.
139. Orange S.A.
140. Otsuka Holdings Co. Ltd.
141. Panasonic Corp.
142. Paychex Inc.
143. Pearson Plc
144. Pepsico Inc.
145. Pfizer Inc.
146. Phillips 66 Partners MLP
147. Philip Morris International Inc.
148. Plains All American Pipeline
149. Plains GP Holdings LP
150. PNC Financial Services Group
151. Porsche Automobil Holding SE
152. Powershares Global Water Portfolio
153. Powershares Water Resources Portfolio
154. Procter & Gamble Co.
155. Public Storage REIT
156. QUALCOMM Inc.
157. Realty Income Corp.
158. Remy International Inc.
159. Repsol S.A.
160. Roche Holding Ltd.
161. Royal DSM N.V.
162. Royal Dutch Shell Plc
163. Royal KPN N.V.
164. Schlumberger Ltd.
165. Secom Co. Ltd.
166. Seiko Epson Corp.
167. Senior Housing Properties Trust
168. Seven & i Holdings Co. Ltd.
169. Sky Plc
170. Smith & Nephew Plc
171. Smucker J.M. Co.
172. Societe Generale S.A.
173. Sony Corp.
174. SPDR S&P China ETF
175. Spectra Energy Corp.
176. Sumitomo Mitsui Banking Corp.
177. Suntory Beverage & Food Ltd.

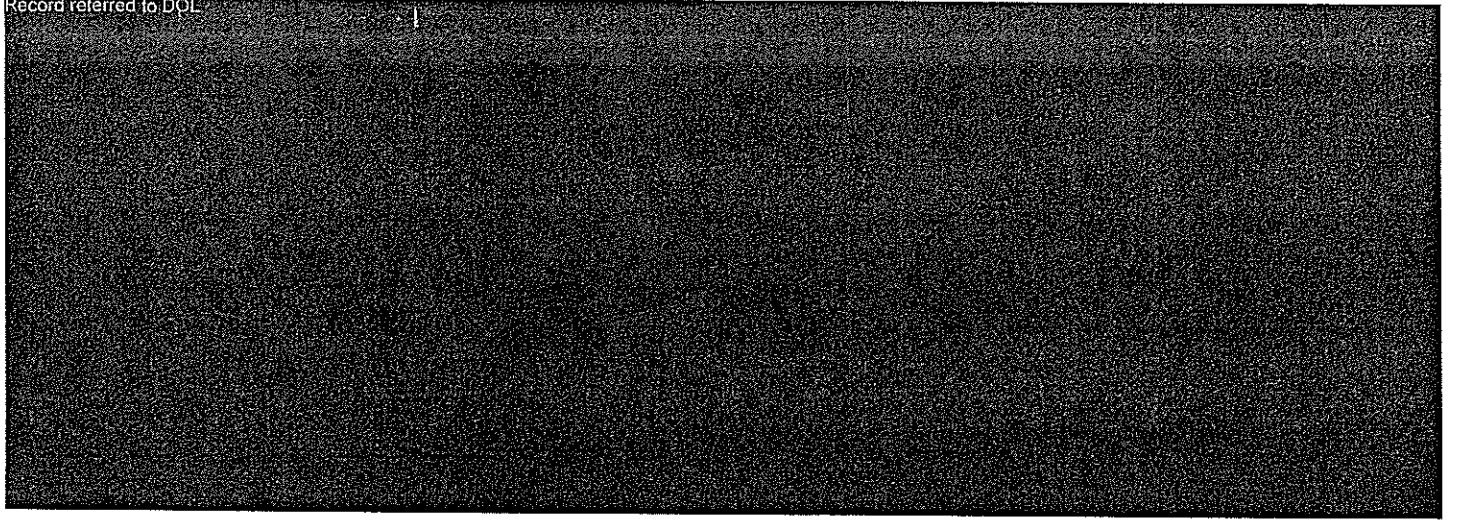
178. Syngenta AG
179. T. Rowe Price Group Inc.
180. Tallgrass Energy Partners MLP
181. Taiwan Semiconductor Manufacturing Co. Ltd.
182. Targa Resources Partners
183. Target Corp.
184. TC Pipelines MLP
185. Teekay Offshore Partners LP
186. Tesoro Logistics MLP
187. Texas Instruments Inc.
188. Time Warner Inc.
189. Toray Industries Inc.
190. Total S.A.
191. Toyota Motor Corp.
192. Trend Micro Inc.
193. Twitter
194. Unibail-Rodamco SE
195. Union Pacific Corp.
196. United Technologies Corp.
197. US Bancorp
198. Ventas Inc.
199. Verizon Communications
200. Vivendi SA
201. Vodafone Group Plc
202. Walt Disney Co.
203. WEC Energy Group Inc.
204. Welltower Inc. REIT
205. Western Gas Equity Partners MLP
206. Western Gas Partners LP
207. The Williams Companies Inc.
208. William Hill Plc
209. Williams Partners MLP
210. WisdomTree Japan Hedged Equity Fund ETF
211. WisdomTree Trust India
212. WisdomTree Trust Japan
213. WPP Plc



**ATTACHMENT B**

Investment funds that will be divested as soon as practicable:

1. Alphakeys KKR Energy
2. Alphakeys Millenium III
3. Altair Commercial Real Estate Lending Fund LLC
4. Altair Healthcare Real Estate Fund LLC
5. Apollo ANRP Co-Investors II (B) LP
6. Apollo Co-Investors VIII (B) LP
7. Apollo European Credit Fund LP
8. Atlas Enhanced Fund LP
9. Solamere Capital Fund II LP
10. Solamere Holdco I LLC
11. Solamere Portfolio Company Investments II LLC
12. Solamere 2016 Holdco I LLC
13. Solus LLC



24



45



**CKE Restaurants Holdings, Inc.**  
**Executive Vice-President**  
**Relocation Benefits Guide**

March 2016



| BENEFIT   | DESCRIPTION  |
|---|--|
| <b>Relocation</b>   | <p>This Relocation Benefits Guide outlines the services and benefits made available to you to help facilitate your move. We recognize that relocating can be a stressful process so we have engaged HomeServices Relocation and their family of companies to provide you with a program of relocation support to reduce normal move disruptions and enable you to get settled in your new residence and job as quickly as possible.</p> <p>Please take time to read and familiarize yourself with Relocation Benefits Guide and HomeServices Relocation's services before you begin planning your relocation. <b>Taking action outside of the Relocation Benefits Guide might cost you money!</b></p>  |
| <b>Eligibility</b>  | <p>As a CKE Executive Vice President, you are eligible for relocation benefits. Your family relocating under this guide is defined as your spouse and dependent household members. You are eligible for relocation benefits for one-year from the start of your job in the destination location.</p>   |
| <b>Expense Reimbursement</b>                                  | <p>CKE provides reimbursement for most of your relocation expenses. Approved relocation expenses will be covered and directly reimbursed or paid on your behalf by HomeServices.</p> <p>Your HomeServices Relocation Consultant will send you a discreet user name and password so that you may submit your expenses online via HomeServices' web portal (receipts are required for all reimbursements).</p> <p>It is very important that relocation expenses are not combined with regular business expenses when you are submitting for reimbursement. Do not charge any expenses directly to CKE.</p> <p>Expenses need to be reasonable, appropriate, and incurred within one-year from your start date in the destination location (IRS guidelines). Legible copies of itemized receipts, including date and location, must accompany all requests for reimbursement.</p> <p>All expenses should be submitted within 30 days of the date incurred.</p> |
| <b>Tax Assistance</b>   | <p>Tax Assistance ("gross-up") is provided at the Federal and state supplemental rate to help compensate for the additional tax liability resulting from the reimbursement or payment of allowable and taxable relocation related expenses.</p>  |
| <b>Miscellaneous Relocation Allowance</b><br>(Tax Assistance) | <p>A Miscellaneous Allowance of up to \$3,000 will be provided for expenses not covered elsewhere in this Guide such as, automobile registration, driver's license fees, utility installation, additional storage or temporary lodging, cleaning, maid service, childcare, movement of animals, finder's fees, etc.</p>  |
| <b>Home Sale Assistance</b><br>(Tax Assistance)               | <p><b>You must work with HomeServices to make the initial contact with your real estate agent(s).</b> The use of an agent related to you through blood or marriage is not be permitted.</p> <p>Your home must be listed within 105 percent of the average of the most probable sales price from the two broker market analyses</p> <p>CKE will reimburse reasonable and customary cost of the conveyance of your home.</p>   |



**CKE Restaurants Holdings, Inc.**  
Executive Vice-President  
Relocation Benefits Guide

March 2016



| BENEFIT  | DESCRIPTION   |
|--|---|
| <b>Home Finding Trip</b><br>(Tax Assistance)                                       | CKE will provide 2 trips for up to 4 Nights/5 days combined, for the employee and one family member to search for suitable housing at the new location. Reasonable expenses for transportation, lodging, and meals may be reimbursed with receipts. <b>HomeServices will make the initial contact and coordinate with a selected real estate agent to assist you with a search during your home finding trip</b>  |
| <b>Preferred Lender</b><br><b>Direct Bill of Closing Costs</b><br>(Tax Assistance) | <b>Lender selection is entirely up to you</b> , but if you choose HomeServices Lending, direct bill of closing costs is available. HomeServices Lending offers a special relocation mortgage program with direct bill of home purchase expenses authorized in CKE's relocation benefits guide, thereby reducing your out of pocket costs at closing.<br>In utilizing this service, the amount of a loan you may receive will be determined by the lender based solely on your financial qualification factors.                                  |
| <b>Lease Cancellation</b><br>(Tax Assistance)                                      | <b>CKE will provide reimbursement of up to two month's rent, not to exceed \$6,000</b> , if you are required to pay a penalty for the early termination of your lease. Please make every effort to minimize the penalties by making the best possible arrangements with your landlord. Submit a Relocation Expense Report with supporting documentation including a copy of the lease agreement, and a letter from the management company (on company letterhead) or landlord outlining the loss and releasing you from obligation as a tenant. |
| <b>Temporary Living</b><br>(Tax Assistance)  | If required, reasonable expenses for lodging at the new location up to a maximum of 60 days will be reimbursed, or direct billing will be arranged. Meals are not reimbursed, but a \$200 one-time payment for Incidentals is provided.   |
| <b>Return Trip Home</b><br>(Tax Assistance)  | Travel expenses (economy airfare or mileage) for up to one round trip home to pack Household Goods may be reimbursed. In lieu of a trip home, one family member may visit the employee at the new location. Airfare may be reimbursed only if the distance from work to home is greater than 250 miles.   |
| <b>Mitigation Against Loss on the Sale of Your Home</b><br>(Tax Assistance)        | Shared loss up to \$10,000 Maximum Benefit – CKE may reimburse up to 50% of the loss on the sale of your current home limited to a maximum of \$20,000 (as dictated by the housing market). <b>Loss is based on the original contract purchase price as documented on the original closing statement (HUD-1) and current closing statement documenting the sale.</b>  |
| <b>Home Purchase Assistance</b><br>(Tax Assistance)                                | <b>To be eligible for Home Purchase assistance, you must be a homeowner in the old location.</b><br>Additionally, you must work with HomeServices to make initial contact with the real estate agent when purchasing your new home. Normal and customary non-recurring closing costs for purchasing your new home in your destination location may be reimbursed to you or direct billed to HomeServices if using HomeServices Lending.   |
| <b>Overlapping Mortgage Payments</b><br>(Tax Assistance)                           | If the closing on your new home occurs more than two weeks before the closing on your old home, duplicate housing expenses for up to six (6) months for interest, real estate taxes, insurance, and utilities may be reimbursed on the former home.   |
| <b>Household Goods Move</b><br>(Excludable)  | HomeServices will arrange for the shipment of your household goods with CKE Restaurants Holdings, Inc.' preferred household   |

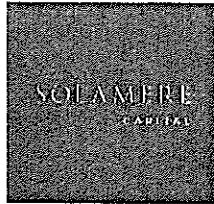


March 2016



| BENEFIT   | DESCRIPTION  |
|---|--|
|   | <p>goods provider. Household goods benefit allows:</p> <ul style="list-style-type: none"> <li>▪ Full packing, loading/unloading and partial unpack (beds, mattresses, washer, dryer and any items required to be disassembled for shipment)</li> <li>▪ Storage for 30 days</li> <li>▪ Replacement value coverage</li> <li>▪ Debris pickup at the new location within 30 days of delivery</li> <li>▪ Two automobiles shipped, if new location is greater than 450 miles away</li> </ul> <p>CKE will also reimburse packing materials, truck/trailer rental, gas, and self-storage up to one month if you elect to move yourself.</p>  |
| <p><b>Final Move Trip</b><br/> (Partially Excludable)</p> | <p>CKE will reimburse reasonable expenses in route for transportation, lodging and meals for the employee and family in accordance with below guidelines:</p> <ul style="list-style-type: none"> <li>▪ Transportation must take the most direct route with no unnecessary stopovers</li> <li>▪ Air travel via economy fare</li> <li>▪ Final trip mileage will be reimbursed at the current federal business rate</li> <li>▪ Meals may be reimbursed up to a maximum of \$50/day for adults and \$25/day for children under 12 up to a maximum of \$150/day per family – receipts required</li> <li>▪ Reasonable lodging expenses may be reimbursed for in the departure location, days enroute (assuming a minimum of 450 miles traveled/day), and first day in destination location.</li> </ul> |
| <p><b>Repayment Agreement</b></p>                         | <p>You will be required to sign a repayment agreement and repay all relocation expenses paid to you and/or incurred by CKE Restaurants on your behalf if you terminate your employment within 24 months of your start/transfer date.</p>   |
| <p><b>Important Note</b></p>                              | <p>CKE Restaurants has the sole right to revise, amend, or discontinue this program at any time. Neither this program nor CKE Restaurants' relocation practices are intended to create a contract of employment for a definite term or under specific conditions.</p>  |





January 6, 2017

Andrew Puzder  
1009 West Main Street  
Franklin, TN 37064

Dear Mr. Puzder,

Thank you for your inquiry. However, pursuant to the governing agreements of the Solamere sponsored funds and other investment vehicles in which you are an investor (the "Solamere Funds"), we respectfully decline your request to provide you with confidential information regarding the assets of the Solamere Funds (the "Confidential Information"). The Confidential Information you have requested is proprietary to Solamere and the Solamere Funds and not known to our competitors or publicly available. Having knowledge about the Solamere Funds' assets would give our competitors an indication of our willingness and ability to invest in an investment or sell an existing investment at a given price and other terms. If a Solamere Fund desires to sell an investment to another person, knowledge of the Confidential Information could give the purchaser an unfair advantage in negotiating a sale price for such investment.

Furthermore, the risk of disclosure of the Confidential Information to the public may impact our opportunities to make future investments or solicit new investors. Many private companies seeking financing that are targeted by Solamere may not want to risk potential disclosure of their proprietary information. As such, we could be foreclosed from the opportunity to invest in some of the more promising investments. Similarly, potential investors in Solamere Funds may not want to participate in a vehicle in which confidential information has been disclosed.

Please let us know if you have any questions or concerns regarding this letter.

Solamere Funds:

Solamere Capital Fund II, LP  
Solamere Portfolio Company Investments II, LLC  
Solamere HoldCo I, LLC  
Solamere 2016 Holdco, LLC

Regards,

A handwritten signature in cursive script that reads "James M Killian".

James M Killian  
CFO, Solamere Capital, LLC

137 Newbury Street, 7<sup>th</sup> Floor, Boston, MA 02116

# ALTAIR

Andrew F. Puzder

January 6, 2017

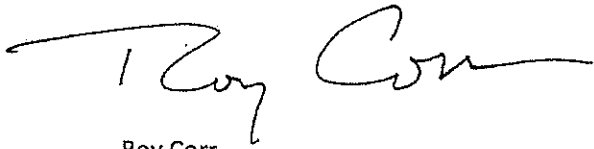
1009 West Main Street

Franklin, TN. 37064

Dear Andrew,

Due to a preexisting confidentiality agreement, Altair Commercial Real Estate Lending Fund, LLC is not disclosing the underlying assets of this fund.

Please let me know if you have any questions. Thank you.

A handwritten signature in black ink, appearing to read "Roy Corr". The signature is fluid and cursive, with the first name "Roy" and last name "Corr" clearly distinguishable.

Roy Corr

SVP, Altair Operating Officer

First Republic Investment Management

1888 Century Park East

Los Angeles, CA. 90067

Office: (424) 204-0879

# ALTAIR

Andrew F. Puzder

January 6, 2017

1009 West Main Street

Franklin, TN. 37064

Dear Andrew,

Due to a preexisting confidentiality agreement, Altair Healthcare Real Estate Fund, LLC is not disclosing the underlying assets of this fund.

Please let me know if you have any questions. Thank you.



Roy Corr

SVP, Altair Operating Officer

First Republic Investment Management

1888 Century Park East

Los Angeles, CA. 90067

Office: (424) 204-0879

**DRAFT** 2/1/17 – 3:30 p.m.

January 30, 2017

Mr. Robert A. Shapiro  
Alternate Designated Agency Ethics Official  
U.S. Department of Labor  
200 Constitution Ave., NW, Rm. N2700  
Washington, DC 20210

Dear Mr. Shapiro:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Secretary of the U.S. Department of Labor.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my positions with CKE Restaurant Holdings, Inc. ("CKE Restaurant"). CKE Restaurant is controlled by CKE Holdings, L.P. ("CKE Holdings"). I have a partnership interest in CKE Holdings, in the form of Class A Units and vested and unvested Class B Units. Except for these units, I do not have any stocks, securities, or other equity interests in CKE Restaurant, CKE Holdings, or any of their affiliates, subsidiaries, or parent entities. I do not have any deferred compensation, and I will not receive any severance payment or partnership distribution. Upon resignation, I will forfeit my unvested Class B Units. CKE Holdings or one of its subsidiaries will purchase my Class A Units and my vested Class B Units, and I will receive the full payment for these units before I assume the duties of the position of Secretary. I will forfeit any portion of this payment that I have not received by the time I assume the duties of the position of Secretary. Before I assume the duties of the position of Secretary, I will receive my 2016 bonus that ended in January 2017.<sup>1</sup> I will forfeit this bonus if I do not receive it before I assume the duties of the position of Secretary.

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<sup>1</sup> Note: Since the fiscal year is not a calendar year, but rather ends in January, CKE thinks of it as an "FY17 bonus". Rather than using shorthand, we suggest referring to this bonus as described above.



During my appointment as Secretary, I will not participate personally and substantially in any particular matter in which I know CKE Restaurant or CKE Holdings, is a party or represents a party, unless: (a) during the first two years of my appointment, I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c); or, thereafter, (b) I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). Consistent with 5 C.F.R. § 2635.102(k), this recusal also applies to any entity that owns a 50% or greater interest in CKE Restaurant or CKE Holdings, as well as to any entity in which either CKE Restaurant or CKE Holdings has a 50% or greater ownership interest. During my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will provide you with a list of all such entities.

In January 2017, I resigned from my positions with the International Franchise Association and the American Enterprise Institute. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

~~I will divest my interests in the entities identified in Attachment A within 90 days of my confirmation and the entities these investment funds within 90 days of my confirmation. You have advised me that you may be willing to consider a brief extension of up to 60 days for a subset of these assets, provided that I demonstrate that I have made substantial progress toward completing the divestiture of all of these assets by the end of the 90-day time period. With regard to each of these investment funds, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the fund or its underlying assets until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(2). During my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will work with you to develop an effective recusal mechanism for particular matters affecting any of these investment funds or any underlying asset.~~

I will divest my interests in the entities identified in Attachment A within 90 days of my confirmation and the entities identified in Attachment B within 180 days of my confirmation. The reason for extending the timeframe to 180 days for the entities identified in Attachment B is that they are illiquid investment funds and it may take longer to divest them. I am, however, committed to divesting all of these entities as promptly as is reasonably practicable, and I may not need the entire 90-day or 180-day period to complete all divestitures. As to the entities subject to the 180-day deadline, you have advised me that you may be willing to consider a brief extension of up to 60 days for a subset of these entities, provided that I demonstrate that I have made substantial progress toward completing the divestiture of all of these entities by the end of the 180-day time period. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity—or, in the case of an investment fund, the entity or any of its underlying assets—until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(2). Preexisting confidentiality agreements

as to some of the entities identified in Attachment B limit the release of information regarding their underlying assets; however, during my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will work with you to develop an effective recusal mechanism for particular matters affecting any of these investment funds or any underlying asset.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Secretary in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge required under the Executive Order dated January 28, 2017 ("Ethics Commitments by Executive Branch Appointees") and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Andrew F. Puzder

**ATTACHMENT A**

The following entities will be divested as soon as reasonably practicable and within 90 days of confirmation:

1. 3M Co.
2. Abbott Laboratories
3. AbbVie Inc.
4. Accor S.A.
5. ACS Actividades de Construcción y Servicios
6. Adecco Group AG
7. Adidas AG
8. Aegon N.V.
9. Aercap Holdings N.V.
10. Air Products & Chemicals Inc.
11. Alerian MLP ETF
- ~~12.~~ ~~Alphakeys KKR Energy~~
- ~~13.~~ ~~12.~~ Altair Commercial Real Estate Lending Fund LLC
- ~~14.~~ ~~13.~~ Altair Healthcare Real Estate Fund LLC
- ~~15.~~ ~~14.~~ Altria Group Inc.
- ~~16.~~ ~~15.~~ AmBev S.A.
- ~~17.~~ ~~16.~~ America Movil S.A.B. de C.V.
- ~~18.~~ ~~17.~~ Amgen Inc.
- ~~19.~~ ~~18.~~ Analog Devices Inc.
- ~~20.~~ ~~19.~~ Apollo Investment Corp.
- ~~21.~~ ~~20.~~ Apple Inc.
- ~~22.~~ ~~21.~~ Ares Capital Corp.
- ~~23.~~ ~~22.~~ Arthur J Gallagher & Co.
- ~~24.~~ ~~23.~~ Astellas Pharma Inc.
- ~~25.~~ ~~24.~~ AstraZeneca Plc
- ~~26.~~ ~~25.~~ Atos Origin S.A.
- ~~27.~~ ~~26.~~ AT&T Inc.
- ~~28.~~ ~~27.~~ Automatic Data Processing Inc.
- ~~29.~~ ~~28.~~ Axa S.A.
- ~~30.~~ ~~29.~~ Banco Bilbao Vizcaya Argentaria S.A.
- ~~31.~~ ~~30.~~ Bank of America Corp.
- ~~32.~~ ~~31.~~ Barclays Plc
- ~~33.~~ ~~32.~~ Baxter International Inc.
- ~~34.~~ ~~33.~~ Bayer AG
- ~~35.~~ ~~34.~~ BB&T Corp.
- ~~36.~~ ~~35.~~ Berkshire Hathaway Inc.
- ~~37.~~ ~~36.~~ BG Group Plc
- ~~38.~~ ~~37.~~ BHP Billiton Plc
- ~~39.~~ ~~38.~~ BlackRock Inc.
- ~~40.~~ ~~39.~~ Brookfield Property Partners LLP

~~41-40.~~ Buckeye Partners LP  
~~42-41.~~ Care Capital Properties  
~~43-42.~~ Carlsberg A/S  
~~44-43.~~ Carrefour S.A.  
~~45-44.~~ Cisco Systems Inc.  
~~46-45.~~ Check Point Software Technologies Ltd.  
~~47-46.~~ Chevron Corp.  
~~48-47.~~ China Mobile Ltd.  
~~49-48.~~ CK Hutchison Holdings Ltd.  
~~50-49.~~ Coca Cola Co.  
~~51-50.~~ Colony Starwood Homes REIT  
~~52-51.~~ Credit Suisse X-Links Cushing MLP Infrastructure ETN  
~~53-52.~~ Crestwood Equity  
~~54-53.~~ Crown Castle Intl. Corp.  
~~55-54.~~ Daimler AG  
~~56-55.~~ DBS Group Holdings Ltd.  
~~57-56.~~ DCP Midstream Partners MLP  
~~58-57.~~ Delek Logistics  
~~59-58.~~ Denso Corp.  
~~60-59.~~ Deutsche Boerse ADR  
~~61-60.~~ Deutsche Post AG  
~~62-61.~~ Diageo Plc  
~~63-62.~~ DNB ASA  
~~64-63.~~ E.ON SE  
~~65-64.~~ Embraer S.A.  
~~66-65.~~ Emerson Electric Co.  
~~67-66.~~ Enable Midstream Partners MLP  
~~68-67.~~ Enbridge Energy Partners MLP  
~~69-68.~~ Energy Transfer Equity LP  
~~70-69.~~ Energy Transfer Partners MLP  
~~71-70.~~ Enerjex Resources Inc.  
~~72-71.~~ Engie  
~~73-72.~~ Enlink Midstream Partners MLP  
~~74-73.~~ Enterprise Products  
~~75-74.~~ EQT Midstream Partners MLP  
~~76-75.~~ Ericsson  
~~77-76.~~ European Aeronaut  
~~78-77.~~ Exxon Mobil Corp.  
~~79-78.~~ Fastenal Co.  
~~80-79.~~ Fidelity National Financial Inc.  
~~81-80.~~ Fifth Street Senior Floating Rate Corp.  
~~82-81.~~ Financial Select Sector SPDR  
~~83-82.~~ First Trust Water ETF  
~~84-83.~~ Ford Motor Co.  
~~85-84.~~ Fresenius Medical Care AG



~~86-85.~~ GEA Group AG  
~~87-86.~~ Gemalto N.V.  
~~88-87.~~ General Electric Co.  
~~89-88.~~ Genesis Energy MLP  
~~90-89.~~ Global Logistic Properties Ltd.  
~~91-90.~~ Guggenheim S&P Global Water ETF  
~~92-91.~~ Hasbro Inc.  
~~93-92.~~ Health Care REIT Inc.  
~~94-93.~~ Heineken N.V.  
~~95-94.~~ Hershey Co.  
~~96-95.~~ Hitachi Ltd.  
~~97-96.~~ Home Depot Inc.  
~~98-97.~~ Holcim Ltd.  
~~99-98.~~ HSBC Holdings Plc  
~~100-99.~~ IHS Markit Ltd.  
~~101-100.~~ Illinois Tool Works Inc.  
~~102-101.~~ Infineon Technologies AG  
~~103-102.~~ Intel Corp.  
~~104-103.~~ Intesa Sanpaolo S.p.A.  
~~105-104.~~ iShares MSCI Mexico Capped ETF  
~~106-105.~~ iShares NASDAQ biotechnology ETF  
~~107-106.~~ Johnson & Johnson  
~~108-107.~~ JP Morgan Chase & Co.  
~~109-108.~~ Julius Baer Group Ltd.  
~~110-109.~~ Kimberly-Clark Corp.  
~~111-110.~~ Kinder Morgan Inc.  
~~112-111.~~ Komatsu Ltd.  
~~113-112.~~ Koninklijke Philips N.V.  
~~114-113.~~ Kraft Foods Group Inc.  
~~115-114.~~ Lixil Group Corp.  
~~116-115.~~ LMP Corporate Loan Fund Inc.  
~~117-116.~~ Lockheed Martin Corp.  
~~118-117.~~ LyondellBasell Industries N.V.  
~~119-118.~~ Macquarie Infrastructure Corp.  
~~120-119.~~ Magellan Midstream  
~~121-120.~~ Marsh & McLennan Companies Inc.  
~~122-121.~~ Matthews Japan Fund  
~~123-122.~~ Maxim Integrated Products Inc.  
~~124-123.~~ Mazda Motor Corp.  
~~125-124.~~ McDonald's Corp.  
~~126-125.~~ Medtronic Plc  
~~127-126.~~ Merck & Co Inc.  
~~128-127.~~ Microsoft Corp.  
~~129-128.~~ MPLX MLP  
~~130-129.~~ Murata Manufacturing Co. Ltd.

~~131.~~130. National Grid Plc  
~~132.~~131. Neuberger Berman MLP Income Fund  
~~133.~~132. New Media Investment Group Inc.  
~~134.~~133. New Residential Investment Corp. REIT  
~~135.~~134. New Senior Investment Group REIT  
~~136.~~135. Newcastle Investment Corp.  
~~137.~~136. NextEra Energy Inc.  
~~138.~~137. Nippon Telegraph and Telephone Corp.  
~~139.~~138. Novartis AG  
~~140.~~139. Occidental Petroleum Corp.  
~~141.~~140. ONEOK Inc.  
~~142.~~141. Orange S.A.  
~~143.~~142. Otsuka Holdings Co. Ltd.  
~~144.~~143. Panasonic Corp.  
~~145.~~144. Paychex Inc.  
~~146.~~145. Pearson Plc  
~~147.~~146. Pepsico Inc.  
~~148.~~147. Pfizer Inc.  
~~149.~~148. Phillips 66 Partners MLP  
~~150.~~149. Philip Morris International Inc.  
~~151.~~150. Plains All American Pipeline  
~~152.~~151. Plains GP Holdings LP  
~~153.~~152. PNC Financial Services Group  
~~154.~~153. Porsche Automobil Holding SE  
~~155.~~154. Powershares Global Water Portfolio  
~~156.~~155. Powershares Water Resources Portfolio  
~~157.~~156. Procter & Gamble Co.  
~~158.~~157. Public Storage REIT  
~~159.~~158. QUALCOMM Inc.  
~~160.~~159. Realty Income Corp.  
~~161.~~160. Remy International Inc.  
~~162.~~161. Repsol S.A.  
~~163.~~162. Roche Holding Ltd.  
~~164.~~163. Royal DSM N.V.  
~~165.~~164. Royal Dutch Shell Plc  
~~166.~~165. Royal KPN N.V.  
~~167.~~166. Schlumberger Ltd.  
~~168.~~167. Secom Co. Ltd.  
~~169.~~168. Seiko Epson Corp.  
~~170.~~169. Senior Housing Properties Trust  
~~171.~~170. Seven & i Holdings Co. Ltd.  
~~172.~~171. Sky Plc  
~~173.~~172. Smith & Nephew Plc  
~~174.~~173. Smucker J.M. Co.  
~~175.~~174. Societe Generale S.A.

~~176~~.~~175~~. Sony Corp.  
~~177~~.~~176~~. SPDR S&P China ETF  
~~178~~.~~177~~. Spectra Energy Corp.  
~~179~~.~~178~~. Sumitomo Mitsui Banking Corp.  
~~180~~.~~179~~. Suntory Beverage & Food Ltd.  
~~181~~.~~180~~. Syngenta AG  
~~182~~.~~181~~. T. Rowe Price Group Inc.  
~~183~~.~~182~~. Tallgrass Energy Partners MLP  
~~184~~.~~183~~. Taiwan Semiconductor Manufacturing Co. Ltd.  
~~185~~.~~184~~. Targa Resources Partners  
~~186~~.~~185~~. Target Corp.  
~~187~~.~~186~~. TC Pipelines MLP  
~~188~~.~~187~~. Teekay Offshore Partners LP  
~~189~~.~~188~~. Tesoro Logistics MLP  
~~190~~.~~189~~. Texas Instruments Inc.  
~~191~~.~~190~~. Time Warner Inc.  
~~192~~.~~191~~. Toray Industries Inc.  
~~193~~.~~192~~. Total S.A.  
~~194~~.~~193~~. Toyota Motor Corp.  
~~195~~.~~194~~. Trend Micro Inc.  
~~196~~.~~195~~. Twitter  
~~197~~.~~196~~. Unibail-Rodamco SE  
~~198~~.~~197~~. Union Pacific Corp.  
~~199~~.~~198~~. United Technologies Corp.  
~~200~~.~~199~~. US Bancorp  
~~201~~.~~200~~. Ventas Inc.  
~~202~~.~~201~~. Verizon Communications  
~~203~~.~~202~~. Vivendi SA  
~~204~~.~~203~~. Vodafone Group Plc  
~~205~~.~~204~~. Walt Disney Co.  
~~206~~.~~205~~. WEC Energy Group Inc.  
~~207~~.~~206~~. Welltower Inc. REIT  
~~208~~.~~207~~. Western Gas Equity Partners MLP  
~~209~~.~~208~~. Western Gas Partners LP  
~~210~~.~~209~~. The Williams Companies Inc.  
~~211~~.~~210~~. William Hill Plc  
~~212~~.~~211~~. Williams Partners MLP  
~~213~~.~~212~~. WisdomTree Japan Hedged Equity Fund ETF  
~~214~~.~~213~~. WisdomTree Trust India  
~~215~~.~~214~~. WisdomTree Trust Japan  
~~216~~.~~215~~. WPP Plc

**ATTACHMENT B**

The following entities will be divested as soon as reasonably practicable and within 180 days of confirmation~~Investment funds that will be divested as soon as practicable:~~

1. Alphakeys KKR Energy
- ~~4-2.~~ Alphakeys Millenium III
- ~~2-3.~~ Altair Commercial Real Estate Lending Fund LLC
- ~~3-4.~~ Altair Healthcare Real Estate Fund LLC
- ~~4-5.~~ Apollo ANDRP Co-Investors II (B) LP
- ~~5-6.~~ Apollo Co-Investors VIII (B) LP
- ~~6-7.~~ Apollo European Credit Fund LP
- ~~7-8.~~ Atlas Enhanced Fund LP
- ~~8-9.~~ Solamere Capital Fund II LP
- ~~9-10.~~ Solamere Holdco I LLC
- ~~10-11.~~ Solamere Portfolio Company Investments II LLC
- ~~11-12.~~ Solamere 2016 Holdco I LLC
- ~~12-13.~~ Solus LLC



**DRAFT** 2/6/17 –5:55 p.m.

February 6, 2017

Mr. Robert A. Shapiro  
Alternate Designated Agency Ethics Official  
U.S. Department of Labor  
200 Constitution Ave., NW, Rm. N2700  
Washington, DC 20210

Dear Mr. Shapiro:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Secretary of the U.S. Department of Labor.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my positions with CKE Restaurants Holdings, Inc. (“CKE Restaurant”). CKE Restaurant is controlled by CKE Holdings, L.P. (“CKE LP”). I have a partnership interest in CKE LP, in the form of Class A Units and vested and unvested Class B Units. Except for these units, I do not have any stocks, securities, or other equity interests in CKE Restaurant, CKE LP, or any of their affiliates, subsidiaries, or parent entities. I do not have any deferred compensation, and I will not receive any severance payment or partnership distribution. Before I assume the duties of the position of Secretary, I will receive my 2016 bonus. I will forfeit this bonus if I do not receive it before I assume the duties of the position of Secretary. Before I assume the duties of the position of Secretary, I will also receive outstanding relocation benefits owed to reimburse me for moving to Tennessee in 2016, including costs associated with the sale of my house that was finalized in 2017. I will forfeit any portion of these relocation benefits that I have not received as of the date I assume the duties of the position of Secretary.

Upon resignation, I will forfeit my unvested Class B Units. CKE LP and one of its subsidiaries, CKE Holding Corporation, Inc. (“CKE CORP”), will purchase my Class A Units and my vested Class B Units. To accomplish this purchase, CKE LP will issue me an amount of CKE CORP stock estimated to be equal in value to my Class A Units and

vested Class B Units, based on an internal valuation of the company as of December 31, 2016. CKE CORP will then purchase this CKE CORP stock from me. I will receive full payment from CKE CORP for the purchase of this stock before I assume the duties of the position of Secretary, or I will forfeit any portion of the payment that I have not received and any stock that I continue to hold as of the date I assume the duties of the position of Secretary.

During my appointment as Secretary, I will not participate personally and substantially in any particular matter in which I know CKE Restaurant or CKE Holdings, is a party or represents a party, unless: (a) during the first two years of my appointment, I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c); or, thereafter, (b) I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). Consistent with 5 C.F.R. § 2635.102(k), this recusal also applies to any entity that owns a 50% or greater interest in CKE Restaurant or CKE Holdings, as well as to any entity in which either CKE Restaurant or CKE Holdings has a 50% or greater ownership interest. During my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will provide you with a list of all such entities.

In January 2017, I resigned from my positions with the International Franchise Association and the American Enterprise Institute. For a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I will divest my interests in the entities identified in Attachment A within 90 days of my confirmation and the entities identified in Attachment B within 180 days of my confirmation. The reason for extending the timeframe to 180 days for the entities identified in Attachment B is that they are illiquid investment funds and it may take longer to divest them. I am, however, committed to divesting all of these entities as promptly as is reasonably practicable, and I may not need the entire 90-day or 180-day period to complete all divestitures. As to the entities subject to the 180-day deadline, you have advised me that you may be willing to consider a brief extension of up to 60 days for a subset of these entities, provided that I demonstrate that I have made substantial progress toward completing the divestiture of all of these entities by the end of the 180-day time period. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity—or, in the case of an investment fund, the entity or any of its underlying assets—until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(2). Preexisting confidentiality agreements as to some of the entities identified in Attachment B limit the release of information regarding their underlying assets; however, during my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305, I will work with you to develop an effective recusal mechanism for particular matters affecting any of these investment funds or any underlying asset.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Secretary in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order no. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Andrew F. Puzder

ATTACHMENT A

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2. Abbott Laboratories
3. AbbVie Inc.
4. Accor S.A.
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7. Adidas AG
8. Aegon N.V.
9. Aercap Holdings N.V.
10. Air Products & Chemicals Inc.
11. Alerian MLP ETF
12. Altria Group Inc.
13. AmBev S.A.
14. America Movil S.A.B. de C.V.
15. Amgen Inc.
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17. Apollo Investment Corp.
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20. Arthur J Gallagher & Co.
21. Astellas Pharma Inc.
22. AstraZeneca Plc
23. Atos Origin S.A.
24. AT&T Inc.
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32. BB&T Corp.
33. Berkshire Hathaway Inc.
34. BG Group Plc
35. BHP Billiton Plc
36. BlackRock Inc.
37. Brookfield Property Partners LLP
38. Buckeye Partners LP
39. Care Capital Properties
40. Carlsberg A/S
41. Carrefour S.A.
42. Cisco Systems Inc.



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44. Chevron Corp.
45. China Mobile Ltd.
46. CK Hutchison Holdings Ltd.
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48. Colony Starwood Homes REIT
49. Credit Suisse X-Links Cushing MLP Infrastructure ETN
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63. Emerson Electric Co.
64. Enable Midstream Partners MLP
65. Enbridge Energy Partners MLP
66. Energy Transfer Equity LP
67. Energy Transfer Partners MLP
68. Enerjex Resources Inc.
69. Engie
70. Enlink Midstream Partners MLP
71. Enterprise Products
72. EQT Midstream Partners MLP
73. Ericsson
74. European Aeronaut
75. Exxon Mobil Corp.
76. Fastenal Co.
77. Fidelity National Financial Inc.
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81. Ford Motor Co.
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83. GEA Group AG
84. Gemalto N.V.
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89. Hasbro Inc.
90. Health Care REIT Inc.
91. Heineken N.V.
92. Hershey Co.
93. Hitachi Ltd.
94. Home Depot Inc.
95. Holcim Ltd.
96. HSBC Holdings Plc
97. IHS Markit Ltd.
98. Illinois Tool Works Inc.
99. Infineon Technologies AG
100. Intel Corp.
101. Intesa Sanpaolo S.p.A.
102. iShares MSCI Mexico Capped ETF
103. iShares NASDAQ biotechnology ETF
104. Johnson & Johnson
105. JP Morgan Chase & Co.
106. Julius Baer Group Ltd.
107. Kimberly-Clark Corp.
108. Kinder Morgan Inc.
109. Komatsu Ltd.
110. Koninklijke Philips N.V.
111. Kraft Foods Group Inc.
112. Lixil Group Corp.
113. LMP Corporate Loan Fund Inc.
114. Lockheed Martin Corp.
115. LyondellBasell Industries N.V.
116. Macquarie Infrastructure Corp.
117. Magellan Midstream
118. Marsh & McLennan Companies Inc.
119. Matthews Japan Fund
120. Maxim Integrated Products Inc.
121. Mazda Motor Corp.
122. McDonald's Corp.
123. Medtronic Plc
124. Merck & Co Inc.
125. Microsoft Corp.
126. MPLX MLP
127. Murata Manufacturing Co. Ltd.
128. National Grid Plc
129. Neuberger Berman MLP Income Fund
130. New Media Investment Group Inc.
131. New Residential Investment Corp. REIT
132. New Senior Investment Group REIT

133. Newcastle Investment Corp.
134. NextEra Energy Inc.
135. Nippon Telegraph and Telephone Corp.
136. Novartis AG
137. Occidental Petroleum Corp.
138. ONEOK Inc.
139. Orange S.A.
140. Otsuka Holdings Co. Ltd.
141. Panasonic Corp.
142. Paychex Inc.
143. Pearson Plc
144. Pepsico Inc.
145. Pfizer Inc.
146. Phillips 66 Partners MLP
147. Philip Morris International Inc.
148. Plains All American Pipeline
149. Plains GP Holdings LP
150. PNC Financial Services Group
151. Porsche Automobil Holding SE
152. Powershares Global Water Portfolio
153. Powershares Water Resources Portfolio
154. Procter & Gamble Co.
155. Public Storage REIT
156. QUALCOMM Inc.
157. Realty Income Corp.
158. Remy International Inc.
159. Repsol S.A.
160. Roche Holding Ltd.
161. Royal DSM N.V.
162. Royal Dutch Shell Plc
163. Royal KPN N.V.
164. Schlumberger Ltd.
165. Secom Co. Ltd.
166. Seiko Epson Corp.
167. Senior Housing Properties Trust
168. Seven & i Holdings Co. Ltd.
169. Sky Plc
170. Smith & Nephew Plc
171. Smucker J.M. Co.
172. Societe Generale S.A.
173. Sony Corp.
174. SPDR S&P China ETF
175. Spectra Energy Corp.
176. Sumitomo Mitsui Banking Corp.
177. Suntory Beverage & Food Ltd.

178. Syngenta AG
179. T. Rowe Price Group Inc.
180. Tallgrass Energy Partners MLP
181. Taiwan Semiconductor Manufacturing Co. Ltd.
182. Targa Resources Partners
183. Target Corp.
184. TC Pipelines MLP
185. Teekay Offshore Partners LP
186. Tesoro Logistics MLP
187. Texas Instruments Inc.
188. Time Warner Inc.
189. Toray Industries Inc.
190. Total S.A.
191. Toyota Motor Corp.
192. Trend Micro Inc.
193. Twitter
194. Unibail-Rodamco SE
195. Union Pacific Corp.
196. United Technologies Corp.
197. US Bancorp
198. Ventas Inc.
199. Verizon Communications
200. Vivendi SA
201. Vodafone Group Plc
202. Walt Disney Co.
203. WEC Energy Group Inc.
204. Welltower Inc. REIT
205. Western Gas Equity Partners MLP
206. Western Gas Partners LP
207. The Williams Companies Inc.
208. William Hill Plc
209. Williams Partners MLP
210. WisdomTree Japan Hedged Equity Fund ETF
211. WisdomTree Trust India
212. WisdomTree Trust Japan
213. WPP Plc



**ATTACHMENT B**

Investment funds that will be divested as soon as practicable:

1. Alphakeys KKR Energy
2. Alphakeys Millenium III
3. Altair Commercial Real Estate Lending Fund LLC
4. Altair Healthcare Real Estate Fund LLC
5. Apollo ANRP Co-Investors II (B) LP
6. Apollo Co-Investors VIII (B) LP
7. Apollo European Credit Fund LP
8. Atlas Enhanced Fund LP
9. Solamere Capital Fund II LP
10. Solamere Holdco I LLC
11. Solamere Portfolio Company Investments II LLC
12. Solamere 2016 Holdco I LLC
13. Solus LLC